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HOUSE JOURNAL

OF THE

Thirty-seventh Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing January 2, 1961, and
Ending March 2, 1961.

GEORGE T. HOWARD
Chief Clerk.

ROSEMARY S. ACHER
Journal Clerk.

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OFFICERS AND MEMBERS

OF THE

Thirty-seventh Legislative Assembly of the State of Montana

1961

DONALD G. NUTTER, GOVERNOR.

Tim Babcock, Lieutenant Governor and President of the Senate.

Clyde L. Hawks, Speaker of the House.

Richard Nixon, President Pro Tem of the Senate.

Paul R. Rice, President Pro Tem (Ad Interim).

Rup

Members of Senate

NAME	RESIDENCE	COUNTY	POLITICS
*Anderson, Roswell H.	Wibaux	Wibaux	Republican
Balgord, O. P.	Lavina	Golden Valley	Republican
*Beley, Ward H.	Harlowton	Wheatland	Democrat
*Bovey, Charles A.	P. O. Box 1653, Great Falls	Cascade	Democrat
Brenner, J. S.	Grant	Beaverhead	Republican
*Brownfield, Ben S.	Ekalaka	Carter	Republican
Carney, Ed.	Scobey	Daniels	Democrat
Cashmore, Wm. F., M. D.	10 Montana Ave., Helena	Lewis & Clark	Republican
*Cole, Kenneth	Winnett	Petroleum	Republican
Cook, Milo H.	Broadus	Powder River	Democrat
*Cotton, Robert S.	Box 27, Glasgow	Valley	Democrat
*Cumming, Hugh C.	Drummond	Granite	Democrat
DeWolfe, Percy	Babb	Glacier	Democrat
Durkee, Robert A.	No. 1 Fifth St., Havre	Hill	Democrat
*Dussault, Edward T.	Mullan Road, Missoula	Missoula	Democrat
Edwards, Lochiel	Malta	Phillips	Republican
*Goodwin, Lester C.	Townsend	Broadwater	Democrat
Graham, Carroll A.	Lodge Grass	Big Horn	Democrat
Grieve, W. H.	Terry	Custer	Republican
*Groff, W. A. "Bill"	Victor	Ravalli	Democrat
Hafferman, William F.	Libby	Lincoln	Democrat
*Harken, R. C.	587 Oak, Forsyth	Rosebud	Independent
Hauk, Mike	Terry	Prairie	Democrat
*Hibbs, Rex	15 Valley Dr., Billings	Yellowstone	Republican
James, David F.	Joplin	Liberty	Democrat
*Keller, Webster	Fishtail	Stillwater	Democrat
*LaCombe, C. E.	Superior	Mineral	Democrat
Lehrkind, Carl, Jr.	610 S. Willson, Bozeman	Gallatin	Republican
MacDonald, John J.	Jordan	Garfield	Democrat
Mackay, William R.	Roscoe	Carbon	Republican
*Mahoney, Eugene H.	104 Spruce, Thompson Falls	Sanders	Democrat
Manning, Dave M.	Hysham	Treasure	Democrat
McDonnell, A. Ronald	Big Timber	Sweet Grass	Republican
*McGowan, Gordon	Highwood	Chouteau	Democrat
*McKenna, George S.	Windham	Judith Basin	Democrat
*McKenna, James E.	Bank Electric Bldg., Lewistown	Fergus	Democrat
*McKeon, John L.	316 E. 7th St., Anaconda	Deer Lodge	Democrat
*Michels, Lloyd J.	Medicine Lake	Sheridan	Democrat
*Morrow, Donald J.	Baker	Fallon	Democrat
Nees, Stanley R.	Poplar	Roosevelt	Democrat
Newman, Dave E.	Elliston	Powell	Democrat
*Nixon, Richard	Hogeland	Blaine	Democrat
O'Neill, R. T.	Roundup	Musselshell	Democrat
*Reardon, Frank D.	30 E. Iron St., Butte	Silver Bow	Democrat
*Rice, Paul R.	Bynum	Teton	Democrat
*Rieder, Arnold	Boulder	Jefferson	Democrat
Rostad, Carl	Lenep	Meagher	Republican
*Sagunsky, Walter G.	Sheridan	Madison	Republican
Schoonover, Leland H.	Polson	Lake	Democrat
Shaw, James N.	Hodges	Dawson	Republican
*Siderius, George	Somers Stage, Kalispell	Flathead	Democrat
Stein, Ben H.	Shields Route, Livingston	Park	Democrat
*Thiessen, C. R.	Lambert	Richland	Democrat
Thomas, Robert B.	Wolf Point	McCone	Republican
Ullom, Maurice J.	Conrad	Pondera	Republican
*Wilson, George W.	Shelby	Toole	Democrat

* Holdover Senator.

Members of House of Representatives

NAME	RESIDENCE	COUNTY	POLITICS
Aasheim, Magnus.....	Antelope.....	Sheridan.....	Democrat
Abel, Keith C.....	432 Twelfth Ave., Havre.....	Hill.....	Democrat
Adams, Ed., Jr.....	Shawmut.....	Golden Valley.....	Republican
Anderson, Jerome.....	2111 Fairway Drive, Billings.....	Yellowstone.....	Republican
Anderson, John H., Jr.....	Alder.....	Madison.....	Republican
Asbjornson, J. O. "Boots".....	Winifred.....	Fergus.....	Republican
Baldwin, Florian.....	Roundup.....	Musselshell.....	Republican
Bardanoue, Francis.....	Harlem.....	Blaine.....	Democrat
Barnard, Lloyd.....	Saco.....	Valley.....	Democrat
Bashor, Leonard G.....	Ferdig.....	Toole.....	Democrat
Beam, W. R. "Bill".....	2540 Woody Dr., Billings.....	Yellowstone.....	Republican
Bentz, C. C.....	Ekalaka.....	Carter.....	Republican
Blewett, Alex, Jr.....	1927 Cherry Drive, Great Falls.....	Cascade.....	Republican
Bradford, Truman G.....	1st Nat'l Bank Bldg., Great Falls.....	Cascade.....	Democrat
Brenner, Paul E.....	Cardwell.....	Jefferson.....	Democrat
Broeder, Fred O., Jr.....	Route 4, Kalispell.....	Flathead.....	Republican
Burrell, F. O.....	R. F. D. No. 2, Hamilton.....	Ravalli.....	Republican
Bush, William H. "Bill".....	1001 Longstaff, Missoula.....	Missoula.....	Democrat
Cerovsky, Charles.....	132 Thirteenth Ave. S., Lewistown.....	Fergus.....	Democrat
Conklin, Russel.....	2500 Fourth Ave. S., Great Falls.....	Cascade.....	Democrat
Coulter, Kenneth A.....	Brusett.....	Garfield.....	Democrat
Crum, Forrest H.....	626 Avenue D, Billings.....	Yellowstone.....	Republican
Daniels, M. K.....	Deer Lodge.....	Powell.....	Democrat
Dykstra, Dan.....	1130 Hauser Blvd., Helena.....	Lewis & Clark.....	Republican
Edwards, Kenneth.....	C. B. Route, Glendive.....	Dawson.....	Republican
Emmons, John.....	1813 W. Park Ave., Anaconda.....	Deer Lodge.....	Democrat
Eskildsen, Leslie.....	Malta.....	Phillips.....	Democrat
Etchart, Mark S.....	Glasgow.....	Valley.....	Republican
Falkenstern, Arnold H.....	Terry.....	Prairie.....	Republican
Goan, William S.....	46 Lewis Ave., Billings.....	Yellowstone.....	Republican
Gustafson, Raymond W.....	Conrad.....	Pondera.....	Democrat
Haines, Tom.....	9 Janice Drive, Missoula.....	Missoula.....	Republican
Hall, Lester W.....	431 S. Third, Livingston.....	Park.....	Republican
Hanks, Virgil.....	Star Route, Gallatin Gateway.....	Gallatin.....	Democrat
Harper, Warren W., Sr.....	717 N. Second St., Livingston.....	Park.....	Democrat
Haughey, James M.....	Box 2529, Billings.....	Yellowstone.....	Republican
Hawks, Clyde L.....	St. Xavier.....	Big Horn.....	Republican
Hazelbaker, Frank W.....	420 S. California St., Dillon.....	Beaverhead.....	Republican
Healy, John E. "Jack".....	624 W. Granite St., Butte.....	Silver Bow.....	Democrat
Hibbard, Henry S.....	618 Madison Ave., Helena.....	Lewis & Clark.....	Republican
Higham, Weldon O.....	Belfry.....	Carbon.....	Republican
Hilling, Henry B.....	1214 Ninth W., Billings.....	Yellowstone.....	Republican
Jenkins, L. V., Jr.....	Hysham.....	Treasure.....	Republican
Jensen, Arthur N.....	Superior.....	Mineral.....	Democrat
Jensen, Millo.....	Ronan.....	Lake.....	Republican
Johnson, Helen C.....	610 S. Fifth, Bozeman.....	Gallatin.....	Republican
Judge, Thomas L.....	417 Dearborn Ave., Helena.....	Lewis & Clark.....	Democrat
Keller, Dr. M. F.....	3101 Fourth Ave. N., Great Falls.....	Cascade.....	Republican
Kolar, Ed.....	Geyser.....	Judith Basin.....	Republican
Kvaalen, Oscar S.....	Sidney.....	Richland.....	Republican
Laas, Walter.....	Chester.....	Liberty.....	Democrat
Leuthold, John H.....	Molt.....	Stillwater.....	Republican
Lewis, Joe H.....	Browning.....	Glacier.....	Democrat
Loman, Ray M.....	Ronan.....	Lake.....	Republican
Lombardi, Jerry.....	947 Waukesha St., Butte.....	Silver Bow.....	Democrat
Lord, Howard H.....	Philipsburg.....	Granite.....	Republican
Lucas, Donald G.....	1812 S. 13th W., Missoula.....	Missoula.....	Republican
Lundgren, Conrad F.....	West Glacier.....	Flathead.....	Republican
Mathers, W. L.....	314 S. Merriam, Miles City.....	Custer.....	Republican
McOmber, W. Gordon.....	Fairfield.....	Teton.....	Democrat
Melcher, John D.....	Forsyth.....	Rosebud.....	Democrat
Mernin, Henry.....	1305 Silver Bow Homes, Butte.....	Silver Bow.....	Democrat
Moudree, Herman L.....	Toston.....	Broadwater.....	Democrat
Murray, Marshall H.....	1004 Second Ave. E., Kalispell.....	Flathead.....	Republican
Nelstead, Ted E.....	118 N. Merriam, Miles City.....	Custer.....	Republican
Nichols, Norris.....	Stevensville.....	Ravalli.....	Republican
Page, Winfield E.....	507 North Ave. E, Missoula.....	Missoula.....	Republican
Picard, Edward "Eddie".....	1915 S. Idaho St., Butte.....	Silver Bow.....	Democrat
Pierce, John H.....	1312 Parkhill Dr., Billings.....	Yellowstone.....	Republican
Raundal, Robert S. "Bob".....	Winnett.....	Petroleum.....	Democrat
Reed, Bess R. (Mrs. Dallas J.).....	225 LaVasseur, Missoula.....	Missoula.....	Republican
Regan, Leonard D.....	2805 Third Ave. N., Great Falls.....	Cascade.....	Democrat
Reinecke, Fred W.....	Wibaux.....	Wibaux.....	Republican
Rosell, Antoinette Fraser.....	106½ Clark Ave., Billings.....	Yellowstone.....	Republican
Rygg, Sterling.....	Whitefish.....	Flathead.....	Republican

HOUSE OF REPRESENTATIVES—(Continued)

Names	RESIDENCE	COUNTY	POLITICS
Schwinden, Ted.....	Wolf Point.....	Roosevelt.....	Democrat
Schye, Elmer.....	White Sulphur Springs.....	Meagher.....	Republican
Seymour, L. G.....	1926 Central Ave., Great Falls.....	Cascade.....	Republican
Shelden, Arthur H.....	Libby.....	Lincoln.....	Democrat
Smith, Carl M.....	Olive.....	Powder River.....	Republican
Spahr, William E.....	122 Twelfth St. N., Great Falls.....	Cascade.....	Democrat
Spilde, Gene.....	Big Timber.....	Sweet Grass.....	Republican
Stearns, Wesley W.....	Plains.....	Sanders.....	Republican
Stimatz, Lawrence G.....	1943 Florence Ave., Butte.....	Silver Bow.....	Democrat
Stranahan, C. G.....	Box 25, Fort Benton.....	Chouteau.....	Democrat
Sullivan, Earl R.....	705 W. Fourth St., Anaconda.....	Deer Lodge.....	Democrat
Sullivan, Tim J.....	2280 Cross Drive, Butte.....	Silver Bow.....	Democrat
Swanz, E. A.....	Harlowton.....	Wheatland.....	Republican
Teigen, Palmer E.....	Scobey.....	Daniels.....	Democrat
Thompson, John N.....	1213 S. Fifth, Bozeman.....	Gallatin.....	Republican
Twedt, Gordon R.....	Rudyard.....	Hill.....	Democrat
Wayrynen, Ray J.....	133 E. Broadway St., Butte.....	Silver Bow.....	Democrat
Weeks, S. A., M. D.....	Baker.....	Fallon.....	Republican
Wright, J. Stewart.....	Wolf Point.....	McCone.....	Republican

INDEX BY DAYS

Legislative Day	Date 1961	Page No.	Legislative Day	Date 1961	Page No.
1st January	2	1	31st February	1	241
2nd	3	21	32nd	2	252
3rd	4	37	33rd	3	263
4th	5	41	34th	4	277
5th	6	45	35th	5	294
6th	7	none	36th	6	300
7th	8	none	37th	7	317
8th	9	51	38th	8	328
9th	10	53	39th	9	346
10th	11	59	40th	10	357
11th	12	69	41st	11	377
12th	13	82	42nd	12	396
13th	14	85	43rd	13	403
14th	15	none	44th	14	412
15th	16	90	45th	15	434
16th	17	96	46th	16	451
17th	18	105	47th	17	461
18th	19	113	48th	18	471
19th	20	123	49th	19	none
20th	21	134	50th	20	478
21st	22	none	51st	21	488
22nd	23	165	52nd	22	503
23rd	24	173	53rd	23	515
24th	25	186	54th	24	529
25th	26	193	55th	25	553
26th	27	201	56th	26	576
27th	28	212	57th	27	581
28th	29	none	58th	28	592
29th	30	218	59th March	1	614
30th	31	231	60th	2	627

SUBJECT INDEX

**Should be used in connection with the Title Index at Page 91 for the
House Bills and Page 231 for the Senate Bills. Chapter
Numbers listed herein refer to laws of 1961.**

	H. B.	S. B.
Abstractors:		
Title insurance policies written by, when	336	
Accusation:		
Consolidation of two or more by court	165	
May charge two or more offenses	165	
Actions:		
Cities and towns		
building regulations, when action may be instituted		
for irregularities	335	
Counties		
building regulations, when action may be instituted		
for irregularities	335	
Revision of laws in civil cases (Chapter No. 13)	86	
Adjusted Compensation Division:		
Transfer of fund	223	
Administration and Supervisors:		
Appropriation	461	
Administration of Oath of Office to Membersp. 1		
Administration of Vocational Education Act:		
Appropriation	461	
Adoption:		
Consent of parent, when not required (Chapter No.		
199)	317	
Regulations for amended	317	
Advertising:		
Outdoor advertising act of the state of Montana	153	
Aeronautics:		
City and county establishment of airports, certain		
amendments (Chapter No. 88)	106	
State aviation fund	225	
surplus transferred to general fund	225	
Aeronautics Commission:		
Appropriation	463	
Aged Persons:		
Acceptance at state tuberculosis sanitarium	Sub. 359	
Agricultural Experiment Station and Substation:		
Appropriation	440	
Agricultural Extension Service:		
Appropriation	440	
Appropriation	458	

	H. B.	S. B.
Agriculture:		
Agriculture advisory board, creation of	3	
Agricultural seeds		
grass seed mixtures, regulations (Chapter No. 168)	247	
Commercial feeds		
providing for distribution of	263	
Commercial fertilizer		
regulations concerning commercial fertilizer re-		
pealed		138
unmixed, phosphate content		35
Commissioner		
babcock test on milk and cream to promulgate rules		
and regulations (Chapter No. 45)	185	
duties of Montana poultry improvement board,		
transferred to (Chapter No. 59)	7	
duties regarding control of noxious weeds	169	
duties regarding tagging of seeds (Chapter No.		
196)	273	
egg seal, price increase	4	
petroleum products, to determine standards for	212	
responsible to governor	3	
salary	3	
Commodities one per cent weight variance permissible		170
Communal property, regulation of	406	
Customer formula feeds, providing for distribution of	263	
Dairy, advisory board	3	
Department of		
animal industry	3	
marketing	3	
plant industry	3	
wheat research division created	44	
Divisions of administrative service established in		
department of	3	
Egg seal, price increase	4	
Grain		
advisory board	3	
grain standards, storage and inspection (Chapter		
No. 224)	176	
public warehousemen		
storage charge increased	199	
research in Montana-grown wheat	44	
warehouseman must furnish net weight from in-		
spected and approved scale	198	
Grain dealer		
definition (Chapter No. 224)	176	
license (Chapter No. 224)	176	
must furnish net weight from inspected and ap-		
proved scale	198	
Grain warehousemen, regulation of (Chapter No. 224)	176	
Horticulture, advisory board	3	
Lands, regulation of, colonization of	406	
Livestock, advisory board	3	
Noxious rodent pests, annual appropriation section		
repealed	222	
Noxious weeds		
amending law (Chapter No. 11)	109	
prohibiting introduction from outside Montana	169	
Noxious weed inspectors		
appointment and duties	169	
Poultry, advisory board	3	
Poultry improvement board abolished (Chapter No.		
59)	7	
State sealer		
fees raised (Chapter No. 145)		171

SUBJECT INDEX

INDEX—9

Agriculture—(Continued)	H. B.	S. B.
weighing devices without state seal, misdemeanor to use (Chapter No. 147)		174
Storage charges of public warehousemen	199	
Weed control and weed seed extermination supervisors, appointment (Chapter No. 51)	110	
Weight information slips, when necessary	198	
Wheat, asking U. S. Congress to inquire into drop of protein payments		S. M. 1
Agriculture and Livestock Council:		
Abolishing and transferring powers and duties	3	
Airports:		
Establishment jointly by counties, cities (Chapter No. 88)	106	
Alcoholic Beverages:		
Alcoholism fund, special	302	
Beer and malt beverages, when not "liquor"	350	
Classifications	350	
Liquor, special licenses		128
Liquor control board		
appropriation	461	
investigation of alleged "lavish expenditures" S.H.R. ..	10	
salaries, officers and employees	277	
sales without permit, action against	H.R. 4	
Liquor permit, fee and use	229	
retail sales without permit	H.R. 4	
Montana beer act		
appropriation	461	
licensed retailer's right to sell off premises(Chapter No. 177)	399	
licenses, fraternal groups to come under quota		127
permits and licenses, reference thereto deleted		74
Retail liquor license act		
limitation	35	
reduction for quantity sales of liquor	380	
registration and licensing of persons promoting brands of liquors	187	
representatives of distilleries to refrain from political activity	187	
sale and purchase through Montana liquor control board only	187	
"sale" and "sell" definitions amended	187	
sale of liquor at less than posted price forbidden, amended	306	
special licenses		128
State liquor control act		
liquor purchases simplified		74
sealing of containers, exception as to wine	202	
wine 21% or less alcoholic content not required to be sealed	202	
Alcoholic Content of Blood, Test for	41	
Alcoholism, Special Fund	302	
Alienation:		
Suspension of power	331, 332	
Ambulance Service:		
Cities and counties to maintain, when		84
(Chapter No. 238)		S.S.B. 84

10—INDEX

SUBJECT INDEX

Ambulance Service—(Continued)	H. B.	S. B.
Maintaining by county, city or town (Chapter No. 238)		S.S.B. 84
Qualified first-aid man to go on calls		122
Animals:		
Brucellosis vaccinations required when		146
Moving or transportation of, when brucellosis vaccination required		146
Removal from state without inspection a felony (Chapter No. 173)	201	
Wild, destruction, when authorized		179
Appeals (Civil Cases):		
Stay of proceedings, when not allowed		168
Appointments, Opening, by Frank Murray	p. 1	
Apprenticeship Council:		
Appropriations	454	
Appropriations:		
Administration and supervisors	461	
Administration of vocation education act	461	
Aeronautics commission	463	
Agricultural experiment station and substations	440, 458	
Agricultural extension service	454	
Apprenticeship council	463	
Athletic commission	444, 461	
Attorney general	461	
Attorneys' licensing board	461	
Beer division	205	
Blackfoot forest protective association assessments ..	461	
Board of education	457	
Board of hail insurance	96, 454	
Board of health	302	
alcoholism fund, special	454	
Board of pardons	444	
Board of railroad commissioners	465	
Bond sale, board of examiners, repair legislature plant	458	
Branch stations of the Montana agricultural experiment station	262	
Bridge across Missouri from highway fund	456	
Bureau of identification	454	
Capitol custodian	205	
Certain deficiency claims	461	
Certification department	205	
Cigarette tax refunds	454	
Civil defense agency	371	
Commissioners on uniform state laws	457	
Co-ordinator of Indian affairs	205	
Corporation license tax refunds	256	
repayment	444, 454	
County attorneys	205	
County attorney salaries, deficiency	438	
Cumulative pocket supplements 1961	444, 457	
Department of agriculture	444	
Department of state lands and investments	461, 467	
Director of budget	H.R. 6	
study and recommend departmental savings	444, 454	
District judges	205	
District judges, employer's contributions and salaries, deficiencies	440, 458	
Eastern Montana college of education	458	
Emergency expenditures authorized, when		
Executive secretary, university of Montana		

SUBJECT INDEX

INDEX—11

Appropriations—(Continued)

	H. B.	S. B.
Extradition of prisoners	461	
Fire marshal division	461	
Fire protection, county general fund	322	
Fish and game commission	459	
Governor's mansion	461	
Governor's office	461	
Highway commission	457	
Highway patrol	457	
Hinman, Edna J.	453	
Historical society of Montana	454	
sale of Russell painting	452	
Home for aged	30, 456	
Home for senile men and women, addition of wings	30, 456	
Industrial accident board	461	
Inheritance tax refunds	205	
Insurance		
department	461	
rating	461	
state property	460	
Investment commissioner	461	
Kearney, Thomas J.	455	
Labor and industry	457	
Lands and investments	457	
Law library	454	
Legislature		
additional	448	
expenses	1	
Legislative council, operation and expenses	26, 205	
Library extension commission	461	
License plate factory	456	
Livestock		
commission	457	
sanitary board	457	
Mental hygiene division	456	
Milk control board	457	
Montana agricultural experiment station	458	
Montana children's center	446, 456	
Montana national guard, construction of training fa- cilities	209	
Montana school of mines	458	
Montana soldiers home	456	
residence hall	52	
Montana state college	440, 458	
Montana state university	440, 458	
Northern Montana college	440, 458	
National defense education act	461	
Nutritional beef cattle research program	445	
Office of director of budget	461	
Other regulatory boards	463	
PBX		
salaries and expenses	444, 454	
deficiencies	205	
Public employees' retirement system	461	
Public school—See also schools.		
classroom unit assistance fund	470	
equalization fund	437	
operation	373	
Public welfare		
matching program for the aged	451	
state department	450	
Railroad commission	461	
Repayment of corporation license tax	256	
Replacement volume 4, revised codes 1947	439	

Appropriations—(Continued)	H. B.	S. B.
Requisition of prisoners, deficiency	205	
Rodent control, annual appropriation section repealed	222	
School		
equalization fund, distribution	374	
lunch program	461	
School for the deaf and blind	456	
Secretary of state	444, 461	
Soil conservation commission	457	
Special education division for exceptional child serv- ices	461	
State auditor	461	
State board of equalization		
corporation license tax, repayment	256	
gasoline drawback fund	468	
income tax withholding fund	468	
State board of examiners	444, 457	
State children's center	446, 456	
State controller	454	
State engineer	457	
State entomologist	457	
State examiner	457	
State forester	444, 457	
State hospital	444, 456	
special alcoholism fund	302	
State industrial school	446, 456	
State liquor control board	461	
State parks	454	
State PBX division	444, 454	
deficiencies	205	
State planning board	459	
State prison	456	
Roethe hall and security fence	464	
State soldiers home	52, 456	
State training school	456	
State treasurer	444, 461	
State tuberculosis sanatorium	444, 456	
State vocational school for girls	446, 456	
State water conservation board	459	
Student travel refunds	458	
Superintendent of public instruction	461	
Supervised correspondence school	461	
Supreme court	444, 461	
Surplus donable property division	461	
Televised instruction experimentation	200	
Textbook license division	461	
Transportation of prisoners	454	
University of Montana	458	
national defense student loan program	466	
Utilization research laboratory, Montana state college	259	
Veteran's welfare	454	
Visual education	461	
Vocational education	461	
Vocational rehabilitation	457	
Western Montana college	458	
Western regional education compact	461	
Architects:		
Bond requirements		189
Fees on public construction (Chapter No. 167)	231	
Maximum rates of compensation to be paid by state, counties, cities and school districts (Chapter No. 167)	231	
Responsibility regarding damage to public buildings		189

SUBJECT INDEX

INDEX—13

	H. B.	S. B.
Armed Forces:		
Foreign, fishing and hunting licenses for members (Chapter No. 72)		S.S.B. 72
Assaults:		
Second degree, punishment increased (Chapter No. 129)	237	
Athletic Commission:		
Appropriation	463	
Attorneys at Law:		
Admission to practice, supreme court to prescribe rules and regulations	357	
Fee limitation	318	
Increase in annual license tax (Chapter No. 18)	190	
License increased (Chapter No. 18)	190	
Title insurance policies, written by, when	336	
Attorney General:		
Appropriation	444, 461	
Duties		
legal adviser for department of natural resources	63	
Attorney's Licensing Board:		
Appropriation	461	
Autopsies—See Workmen's Compensation Act, Industrial Accident Board		
Bail:		
Forfeiture of, non-resident driver of a motor vehicle		71
Banks and Banking:		
Liquidated banks		
disposition of funds (Chapter No. 143)		133
unclaimed funds to be deposited in general fund (Chapter No. 143)		133
State banks exempt from corporation license tax		29
Substitution of pledged securities, public funds (Chapter No. 66)		32
Beauty Shops—See Cosmetology		
Beer:		
Appropriation, Montana beer act	461	
Five-gallon limitation on sales removed (Chapter No. 177)	399	
Bills of Exchange:		
Definition as to inland and foreign (Chapter No. 118)		33
Inland bill defined (Chapter No. 118)		33
Blind Persons:		
Aid, eligibility for (Chapter No. 4)	25	
Blood, Test for Alcoholic Content:	41	
Blue Sky Laws:		
Office of investment commissioner created (Chapter No. 251)		20
See also Officers, Boards and Departments, and State Board of Education:		
Appropriation	461	

	H. B.	S. B.
Board of Equalization:		
Appropriation	256, 457, 468	
Board of Examiners:		
Appropriation	444, 457	
repair legislative plant	465	
Board of Hail Insurance:		
Appropriation	457	
Board of Health:		
Alcoholism fund, special	302	
Appropriation	454	
Salary of executive officer, fixing of (Chapter No. 212)		96
Board of Pardons:		
Appropriation	454	
Board of Railroad Commissioners:		
Appropriation	444	
Boats:		
License application to be accompanied by tax receipt (Chapter No. 219)		169
Motor boats equipment requirements		
no fire extinguisher required if under 26 feet in length (Chapter No. 138)		57
Bond Issues:		
When authority rescinded automatically (Chapter No. 210)		77
Bonds:		
Architects for public buildings		189
Cost bond in suit against officer or enlisted man	280	
County		
form of (Chapter No. 112)	271	
voting requirements	352	
High school districts (Chapter No. 169)	324	
Installment payments on principal, counties (Chapter No. 112)	271	
Master plumbers		159
Motor vehicle safety responsibility act, when bond requirement repealed		108
Municipal bonds vote, percentages required	351	
Peddler	305	
Rural improvement district, sale of	76	
School districts, voting requirements	356	
State		
ballot classification	354	
voting requirements	353	
Trading stamp companies	441	
Validating act of 1961 (Chapter No. 19)	233	
Water well licenses (Chapter No. 176)	242	
Bond Validating Act, 1961 (Chapter No. 19)	233	
Bonneville Power, Urging Congress to Construct Transmission Lines		S.M. 2
Branch Stations of the Montana Agricultural Experiment Station:		
Appropriation	458	

SUBJECT INDEX

INDEX—15

H. B. S. B.

Budget Act—See also Director of Budget		
Dates for distribution and return of forms (Chapter No. 91)	207	
Buffalo Rapids:		
Dams constructed by taxpaying enterprise	H.J.M. 12	
Bureau of Identification:		
Appropriation	456	
Business Climate:		
Property classification for taxation to encourage new industry (Chapter No. 239)		137
Recommendation of state policy	H.J.M. 1, H.J.M. 3	
Capital Punishment:		
Abolished	91	
Capitol Custodian:		
Appropriation	454	
Capitol, State:		
Custodian, under direction of controller	390	
Carey Land Act Board:		
Abolished	10	
Carrier, Revision of Rate Regulation (Chapter No. 201)	388	
Centennial (Territorial) Commission—See Montana Territorial Centennial Commission		
Certification Department:		
Appropriation	461	
Teachers, suspension and revocation (Chapter No. 171)	38	
Cess Pools:		
Adequate fencing (Chapter No. 203)	436	
Chattel Mortgage:		
Liens		
duration (Chapter No. 67)		S.S.B. 34
renewal (Chapter No. 67)		S.S.B. 34
Children and Minors:		
Abandonment and neglect of wife and child	191	
Adoption, when consent of parent not required (Chapter No. 199)	317	
Custody, children of annulled marriages		70
Dependent and neglected children		
school trustees not required to furnish clothing and medical care to pauper children (Chapter No. 58)	403, 404	
Distribution of obscene literature to, prohibited		119
Drivers license application (Chapter No. 140)		109
Employment of, when prohibited		160
Fireworks, unlawful possession (Chapter No. 107)	193	
Juvenile courts—See Juvenile Courts and Delinquents		
Operating motor vehicles unlawfully, distribution of fines (Chapter No. 149)		185
Pauper children		
school trustees not required to furnish clothing and medical care (Chapter No. 58)	403, 404	

Children and Minors—(Continued)	H. B.	S. B.
Proceedings against	254	
Prohibiting unauthorized minor to drive motor vehicle	128	
School attendance age raised to 18		160
Chiropractors:		
Fees		
application (Chapter No. 188)	71	
license		
board members per diem and mileage (Chapter No. 188)	71	
reciprocal (Chapter No. 188)	71	
renewal (Chapter No. 188)	71	
restoration (Chapter No. 188)	71	
Cities and Towns:		
Ambulance service authorized, when (Chapter No. 238)		S.S.B. 84
Annexation		
contiguous tracts of land (Chapter No. 217)		S.S.B.166
one year waiting period on disapproval (Chapter No. 217)		S.S.B.166
Architects, maximum rates for services (Chapter No. 167)	231	
Boundaries		
extension of (Chapter No. 217)		S.S.B.166
Bridges, maintenance, when	340	
Building regulations, board of adjustment, members tenure increased	335	
City attorney		
first and second class city attorneys may not represent defendant		63
City-county planning board		
public hearing, when required	379	
Commission-manager form of government		
nominations dispensed with, when (Chapter No. 36)	115	
Ditches as public nuisance (Chapter No. 63)	204	
Elections, when area annexed (Chapter No. 76)	180	
Employees to come under provisions of unemployment to compensation act		162
Finance, special funds, investment of outstanding warrants (Chapter No. 31)	111	
Fines for unlawful operation of motor vehicles by those under 18, how distributed (Chapter No. 149)		185
Fire department		
disability and pension fund, maximum tax levy	232	
wages of firemen, minium	287	
Firemen		
disability and pension fund (Chapter No. 192)	250	
prohibited from engaging in outside work for hire	431	
tenure, protection of (Chapter No. 192)	250	
Fire protection agreement for common suppression of fires		135
Funds		
deposit by county, city, and town treasurers (Chapter No. 66)		32
surplus, investment of (Chapter No. 223)	S.H.B. 65	
Gasoline tax exemption	39	
Highway fund, distribution of		183
Highway intersections, yield-right-of-way signs	171	
Insurance, group, for employees, when	104	
Investment of money not in use (Chapter No. 31)	111	
Levy of taxes for snow removal		27
Maximum salaries for offices (Chapter No. 179)	113	

Cities and Towns—(Continued)	H. B.	S. B.
Metropolitan improvement districts, creation of	240	
Motor vehicles, stopping, standing, parking or abandonment of	149	
Municipal bonds, vote requirements	351	
Municipal corporations, home rule	121	
Municipal primary election dispensed with, when (Chapter No. 36)	115	
Office hours, forty-hour week minimum (Chapter No. 33)	114	
Open ditches, must be fenced, when (Chapter No. 63)	204	
Ordinances		
reckless and negligent driving, power to enact ordinance regarding		64
Planning and zoning		
tax levy on planning districts by including zoning districts	384	
Planning board, city-county		
members, terms	386	
Plats and surveys, vacation of recorded plat (Chapter No. 152)	413	
Plumbers' licensing (Chapter No. 185)		S.S.B.159
Police department		
minimum wage to be paid police officers	243	
police reserve fund rights (Chapter No. 190)	248	
salaries to policemen on reserve list, how paid	143	
tenure, protection of (Chapter No. 190)	248	
Police reserve fund rights (Chapter No. 190)	248	
Policemen, prohibited from engaging in outside work for hire	431	
Property, may lease from counties for fifty-year period	315	
Public contracts, preference Montana residents (Chapter No. 43)	162	
(Chapter No. 183)	363	
Retired persons, employment by subdivisions of state	339	
Salaries		
alderman (Chapter No. 179)	113	
attorney (Chapter No. 179)	113	
chief of police (Chapter No. 179)	113	
city and town clerk (Chapter No. 179)	113	
mayor (Chapter No. 179)	113	
police judges (Chapter No. 179)	113	
treasurer (Chapter No. 179)	113	
Salaries of city officials to be based on last federal census (Chapter No. 179)	113	
Sewage facilities, approval necessary (Chapter No. 95)		S.S.B. 41
Snow removal provision		27
Special improvement districts		
ditch protection (Chapter No. 32)	156	
safety devices for requirements (Chapter No. 32)	156	
Special improvement television districts		
to include area outside towns and cities and incorporated towns (Chapter No. 198)	S.H.B. 310	
Tax exemption on diesel fuel, etc.	132	
Tax exemption on gasoline	133, 136	
Tax levy for fire department disability and pension fund, maximum	232	
Trading stamps, local option	443	
Urban renewal projects, exercise of power	385	
Vacation of prepared and recorded plats (Chapter No. 152)	413	

Cities and Towns—(Continued)	H. B.	S. B.
Water		
diversion or passage through city limits must be fenced (Chapter No. 63)	204	
facilities, approval necessary (Chapter No. 95)		S.S.B. 41
furnishing of to industries (Chapter No. 194)	266	
rates outside city limits (Chapter No. 194)	266	
Zoning—See Planning and Zoning		
City and County Consolidation:		
Fire department		
voluntary fire districts in consolidated county municipalities (Chapter No. 191)	249	
Firemen's tenure rights and disability pension fund (Chapter No. 192)	250	
Civil Actions:		
Simplification of judicial proceedings (Chapter No. 13)	86	
Civil Defense Agency:		
Appropriation	454	
Civil Procedure:		
Adoption of rules (Chapter No. 13)	86	
Claims, State:		
Cut-off date (Chapter No. 127)	206	
State controller to make pre-audit of liquidated claims (Chapter No. 97)		3
Clerk of District Court:		
Fees collected by	325	
Salary determined by previous schedule		191
Salary increase (Chapter No. 195)	S.H.B. 269	
Coal:		
Native bituminous coal to be used for heat in certain public buildings (Chapter No. 150)		201
Code of Ethics:		
State employees and legislators to avoid conflict of interests		149
Colleges and Universities:		
Accreditation to be approved before degree can be granted	402	
Board of regents to refuse recognition of social fraternities and sororities denying membership because of race, creed or color	HR3	
Degree granting institution defined	402	
Eastern Montana college of education		
administration and supervision	73	
Fraternities, officially recognized, when	HR3	
Medical university, college or school		
definition of approved unit with relation to license to practice (Chapter No. 29)		152
Montana school of mines		
administration and supervision	73	
Montana state college		
administration and supervision	73	
utilization research laboratory	259	
Montana state university		
administration and supervision	73	

SUBJECT INDEX

INDEX—19

Colleges and Universities (Continued)	H. B.	S. B.
Northern Montana college		
administration and supervision	73	
cosmetology courses provided for	125	
Residence halls and other self-financing facilities	29	
Sororities, officially recognized, when	HR3	
Student fees, when not tuition (Chapter No. 158)	36	
University of Montana		
administration and supervision	73	
annual audit by state examiner (Chapter No. 81)		4
appropriation	458, 466	
elimination of conflicting, redundant and obsolete provisions relating to the six units	107	
Indians to attend units without payment of fees (Chapter No. 87)		157
national defense student loan program, appropria- tion	466	
regents approve accreditation, when	402	
regents to construct etc. housing facilities (Chapter No. 232)	37	
student fees, when not tuition (Chapter No. 158)	36	
Western Montana college of education		
administration and supervision	73	
Columbia Interstate, Compact:		
Commission members appointed from Montana salaries and terms (Chapter No. 85)		83
Enactment (Chapter No. 85)		83
Relating to waters of Columbia river and its tributar- ies (Chapter No. 85)		83
Commercial Code, Uniform	210	
Commissioner of Agriculture:		
Hail insurance program to be administered by		44
Commissioners on Uniform State Laws:		
Appropriation for	371	
Communal Property Control Board, Creation of	406	
Committee Appointments, pp. { 17, 18, 21, 75, 197, 455, 553, 592, 606, 647, 663, 674, 676, 683, 689, 706.		
Complaint:		
Consolidation of two or more by court (Chapter No. 172)	S.S.H.B. 165	
May charge two or more offenses (Chapter No. 172)	S.S.H.B. 165	
Complaint—See Crimes and Criminal Procedure		
Condemnation:		
Mining purposes		
purchase of adjacent property (Chapter No. 240)		181
right of eminent domain (Chapter No. 216)		112
Revision of laws relating to (Chapter No. 234) S.S.H.B.	134	
Consolidation Boards and Bureaus	3	
Consolidated County Municipalities:		
Fire districts (Chapter No. 191)	249	
Firemen's disability fund (Chapter No. 192)	250	
Constitutional Amendment, Proposed:		
Article III, section 8, 23		
elimination justices of peace as constitutional offi- cers (Chapter No. 121)		67

Constitutional Amendment, Proposed—(Continued)	H. B.	S. B.
Article III, section 24 death sentence abolished	91	
Article V, sections 5, 10, 45 continuity of governments in emergency		8
Article V, section 6 legislative members term of service	24	
Article VII, sections 1, 7, 11, 16 continuity of governments in emergency		8
Article VII, section 2 governor and lieutenant governor to be of same political party	40	
Article VII, section 3 qualification of superintendent of public instruction		165
Article VII, section 20 powers and duties of board of examiners		154
Article VIII, sections 1, 20, 21, 22, 23, 24, 34 eliminating justices of peace as constitutional of- ficers (Chapter No. 121)		67
Article VIII, section 9 county attorney's term increased to four years (Chapter No. 164)	168	
Article IX, section 2 residence voting requirements lowered		45
Article X, section 3 continuity of governments in emergency		8
Article XI, section 11 board of regents for university of Montana		7
Article XII, sections 9, 15, 16 board of equalization, references to, deleted	92	
Article XVI, sections 2, 4, 6 continuity of governments in emergency		8
Article XVI, section 5 county superintendent of schools eliminated as of- ficer elected by people	154	
enabling county treasurers to succeed themselves	166	
Article XVI, section 6 legislature to provide for election of county, town- ship, precinct and municipal officers increasing limit of term of office	147	
Article XVI, section 9 added municipal corporations, home rule provisions	121	
Article XIX, section 6 continuity of governments in emergency		8
Article XIX, section 9 increasing number of amendments from 3 to 10	88	
County attorneys, terms of (Chapter No. 164)	168	
Exemption or limitation of taxation on real or per- sonal property	8	
Justice of Peace etc. courts, removal (Chapter No. 121)		67
Constitutional Convention: Revision of constitution of state of Montana	129	
Contests: Certain prohibited		129
Certain game animal contests prohibited (Chapter No. 133)	264	
Contracts: Burial services	87	
Cremation services	87	

SUBJECT INDEX

INDEX—21

Contracts—(Continued)	H. B.	S. B.
Funeral services	87	
Labor, state agency or institution with union	309	
Preference, Montana coal (Chapter No. 150)		201
Preference, Montana residents (Chapter No. 183)	363	
ditto		202
Public, preference to bona fide Montana residents (Chapter No. 43)	162	
State bidding requirements, minimum \$1000 (Chapter No. 142)		114
State, county, city or town, let on bids, Montana resi- dents to receive preference (Chapter No. 43)	162	202
Cooperatives:		
By-laws, amendment of		175
Income tax, adjusted gross income	329	
Rural electric and telephone cooperatives rates and rate schedules, how filed	368	
Co-ordinator of Indian Affairs:		
Appropriation	457	
Coroners:		
Fees	362	
Corporations:		
Assessment, payment, collection of license tax (Chap- ter No. 102)		140
Cooperatives by-laws, amendment of		175
Credit unions revision and consolidation of laws	245	
Gross income for taxation defined (Chapter No. 235) ..	348	
License tax collection of (Chapter No. 162)		140
consolidated returns	89	
exemption (Chapter No. 155)	131	
Municipal, home rule provided for	121	
Powers, enumeration changed		200
Religious, charitable or educational exemptions on transfers of property in relation to inheritance taxes		124
Statement of affairs, form (Chapter No. 93)	319	
Stock preferred stock, outstanding limitation removed		200
Stockholders five per cent of stockholders may demand state- ment of affairs (Chapter No. 93)	319	
Taxation non-profit, when certain property included		187
Tax deductions allowable	274	
Treasurer to furnish statement of affairs, when (Chapter No. 93)	319	
Type of statement furnished to stockholder (Chap- ter No. 93)	319	
Cosmetology:		
Courses for practice at northern Montana college	125	
License apprentice license eliminated	366	
charge for late renewals (Chapter No. 115)	367	
qualifications	366	

Cosmetology—(Continued)	H. B.	S. B.
Licensing qualifications (Chapter No. 244)	S.H.B. 435	
Practice of	377	
Practice of, certain exemptions	364	
Qualifications for licensing student (Chapter No. 244)	S.H.B. 435	
Regulation of (Chapter No. 244)	S.H.B. 435	
Renewal of licenses and certificates (Chapter No. 115)	367	
State examining board of beauty culturists price agreements, approved of	369	
State examining board of cosmetology change of name	370	
Correctional Institutions Eligible to Receive Non-luxury Surplus Foods	H.J.M. 15	
Costs:		
Disposition of, by courts (Chapter No. 92)	253	
Council of Natural Resources and Development:		
Abolished, duties transferred	63	
Counties:		
Additional four-mill tax levy (Chapter No. 205)		15
Ambulance service authorized, when (Chapter No. 238)		84
Architects, maximum rates for services (Chapter No. 167)	231	
Auditor, when county over 15,000 (Chapter No. 52)		164
Authority to deed land to cities and towns (Chapter No. 48)	219	
Bond issues		
authority when automatically rescinded (Chapter No. 210)		77
voting requirements	352	
Bonds, form of (Chapter No. 112)	271	
Bridges		
maintenance, when	340	
Budgets		
limitation		42
Building regulations, when action may be instituted for irregularities	335	
Cess pools, adequate fencing or enclosing required (Chapter No. 203)	436	
City-county planning board		
public hearing, when required	379	
Clerk of court		
fees collected by	325	
County attorney's term increased to four years by constitutional amendment (Chapter No. 164)	168	
County auditor exemptions (Chapter No. 52)		164
County clerk		
authorized to further good government		156
County commissioners		
authorized to join associations to further good gov- ernment		156
County superintendent of schools eliminated as officer elected by people	154	
County treasurer		
May succeed self, proposed constitutional amend- ment	166	
Deputy sheriffs provided with service status		87

SUBJECT INDEX

INDEX—23

Counties—(Continued)	H. B.	S. B.
Dispositions of property by, validated (Chapter No. 111)	255	
Employees to come under provisions of unemployment compensation act		162
Fair boards, racing association exemption (Chapter No. 57)	S.H.B. 295	
Fines for unlawful operation of motor vehicles (Chapter No. 149)		185
Fire protection, appropriation for	322	
Funds		
deposit by county, city, and town treasurers (Chapter No. 66)		32
surplus, investment of (Chapter No. 223)	S.H.B. 65	
Garbage collection levy (Chapter No. 202)	397	
Gasoline tax exemption	39	
Highway construction funds, use of	260	
Highway fund, distribution of		183
Installment payments on principal of bonds (Chapter No. 112)	271	
Insurance, group, for employees, when	104	
Joinder to establish youth guidance center (Chapter No. 24)	S.H.B. 42	
Joint youth guidance centers (Chapter No. 24)	S.H.B. 42	
Legislature		
number of representatives increased	54	
reapportionment of representatives	64	
Levy of additional tax for poor funds (Chapter No. 10)	15	
Metropolitan improvement districts, creation of	240	
Mileage increased for officers and employees except sheriffs (Chapter No. 106)	181	
Mileage to be paid officers		75
Notification to establish, alter, vacate road (Chapter No. 123)		125
Noxious weed control law amended (Chapter No. 11)	109	
Officers		
auditor when county over 15,000 (Chapter No. 52)		164
deputies, number of	137	
Planning board, city county		
members, terms	386	
Poor tax fund additional levy not to exceed 10 mills	141	
Property, may lease to cities and towns for fifty year period	315	
Property, sales, validation (Chapter No. 111)	255	
Public contracts, preference Montana residents (Chapter No. 43)	162	
Reimbursed for tax revenue loss from state-owned land		38
Rescinding of bonds when not sold (Chapter No. 210)		77
Retired persons		
employment of by political subdivisions of state	339	
Rural improvement districts		
acquiring improvements by purchase (Chapter No. 134)	320	
bonds and warrants, sale of	76	
contract, payment of	76	
bonds and warrants, sale of (Chapter No. 136)	447	
ditch protection (Chapter No. 30)	155	
method of payment (Chapter No. 136)	447	
when authorized (Chapter No. 134)	320	
Salaries		
auditors		191

Counties—(Continued)	H. B.	S. B.
clerks of district court		191
county commissioners	314	
county officers (Chapter No. 195)	S.H.B. 269	
deputies and county officers, how fixed	137	
increases for county officers (Chapter No. 195)	S.H.B. 269	
schedule to include—clerks of district court and auditors		191
shall apply for full term after fixed in September of election year, when		190
Sales of property, validation (Chapter No. 111)	255	
Secondary road information from highway commis- sion (Chapter No. 124)		S.S.B.130
Sewage lagoons		
adequate fencing or enclosing required (Chapter No. 203)	436	
protection from drowning in (Chapter No. 203)	436	
Special improvement districts		
safety devices for requirements (Chapter No. 30)	155	
water works, to acquire (Chapter No. 134)	320	
Tax exemption		
diesel fuel, etc.	132	
gasoline	133, 136	
Term of officer	164	
Trading stamps, local option	443	
Transmission of funds of irrigation district (Chapter No. 78)		98
Traveling expenses allowed assessors and deputies	328	
Treasurer		
may succeed self	164	
separate accounts for school funds (Chapter No. 62)	179	
Water		
district reserve funds (Chapter No. 46)	211	
district taxes (Chapter No. 46)	211	
works, authority to acquire (Chapter No. 134)	320	
Weed control and weed seed extermination supervi- sors, appointment (Chapter No. 51)	110	
Weed control supervisors, mileage, per diem (Chapter No. 51)	110	
County Assessors:		
Assessment book, return date	58	
Salary increase (Chapter No. 195)	S.H.B. 269	
Time of assessment	417	
Traveling expenses	328	
County Attorneys:		
Appropriations	444, 454	
Proposed constitutional amendment, term (Chapter No. 164)	168	
Salary increase (Chapter No. 195)	S.H.B. 269	
Salary, minimum	163	
Term increased to four years, proposed constitutional amendment (Chapter No. 164)	168	
County Auditor:		
Limited to counties over 15,000 (Chapter No. 52)		164
Salary determined by previous schedule		191
County Clerk:		
Assessment book delivery	58	
Authorized to join association to further good govern- ment		156

County Clerk—(Continued)	H. B.	S. B.
Salary increase (Chapter No. 195)	S.H.B. 269	
Taxpayers, how to designate on poll books	355	
County Commissioners:		
Budget, preliminary	58	
adoption date	58	
Civic, youth, recreation center, levy of taxes for	261	
Compensation	314	
Coroners, when salaries fixed by	362	
County poor fund tax levy (Chapter No. 10)	15	
Garbage and ash collection, monthly charge for (Chapter No. 202)	397	
Indemnity insurance power, to pay proper charges for Irrigation district funds, transmission of (Chapter No. 78)	338	98
Lands and water purchases, fish and game, approval of Levy taxes, water districts (Chapter No. 46)	211	108
Parks, land for, power to deed (Chapter No. 48)	219	
Road construction, money available report (Chapter No. 124)		S.S.B.130
Rural improvement districts		
authority to create for acquisition of water works (Chapter No. 134)	320	
bonds and warrants, sold by	76	
Salaries	314	
Salaries of officers, power to fix	137	
Tax levy on taxable property (Chapter No. 205)		15
County Employees:		
Forty-hour work week minimum		107
County Sheriff:		
Salary, minimum	163	
County Superintendent of Schools:		
Salary increase (Chapter No. 195)	S.H.B. 269	
County Surveyors:		
Salary increase (Chapter No. 195)	S.H.B. 269	
County Treasurer:		
Duties		
collect license taxes of racing associations (Chap- ter No. 57)	S.H.B. 295	
regarding school moneys (Chapter No. 62)	179	
May succeed self	164	
proposed constitutional amendment	166	
Salary increase (Chapter No. 195)	S.H.B. 269	
School district lunch fund, how allocated (Chapter No. 209)		62
Court Reporters:		
Certification of	230	
Name changed, salary increased (Chapter No. 22)		28
Courts:		
Admission of public to juvenile hearing (Chapter No. 132)	241	
Constitutional amendment, justice, etc. courts (Chap- ter No. 121)		67
Disposition of fines, costs and forfeitures (Chapter No. 92)	253	

Courts—(Continued)	H. B.	S. B.
Districts courts		
nomination and election of, departmentalization in districts having more than one judge (Chapter No. 229)		90
Driver's licenses, when forwarded with convictions for forfeiture of bail, not vacated (Chapter No. 27)	112	
Judicial council, creation of	308	
Judicial officers, disqualification of (Chapter No. 218)		167
"Juvenile child" defined	254	
Juvenile Courts—See Juvenile Courts and Delinquents		
Juveniles, proceedings against	254	
Municipal, creation of in cities of first class	80	
Probation officers, salary increase (Chapter No. 166)	S.H.B. 221	
Publication of Montana reports (Chapter No. 14)	123	
Rules of civil procedure (Chapter No. 13)	86	
Rules of pleadings, simplification in civil cases (Chapter No. 13)	86	
Separate trial may be granted for each offense or count set forth in indictment, information or complaint (Chapter No. 172)	S.S.H.B. 165	
Shorthand reporters, certified	230	
Trustee's accounting, hearing	293	
Credit Unions:		
Revision and consolidation of laws	245	
Crimes:		
Abandonment and neglect of wife and child	191	
Assaults		
second degree, punishment increased (Chapter No. 129)	237	
Habitual criminal act		9
Libelous matter, reasonable notice to correct (Chapter No. 159)	S.H.B. 53	
Manslaughter—See Homicide		
Crimes and Criminal Procedure:		
Two or more offenses may be charged under separate counts in the indictment, information or complaint (Chapter No. 172)	S.S.H.B. 165	
Uniform arrest act		65
Criminal Jurisdiction:		
Indians, their reservations and lands	298	
Criminal Law:		
Assault in second degree, increased punishment (Chapter No. 129)	237	
Charging of more than one offense (Chapter No. 172)	S.S.H.B. 165	
Dairies and Dairy Products:		
Babcock test		
farm bulk milk tanks and composite samples, rules and regulations regarding (Chapter No. 45)	185	
Milk control board		
transfer of assets, appurtenances, and funds	279	
Weighing and sampling of milk (Chapter No. 45)	185	
Deaf:		
Legislative proceedings, free to	45	

SUBJECT INDEX

INDEX—27

	H. B.	S. B.
Delinquent Child:		
Definition	414	
Dentistry:		
Board of dental examiners, authority, fees (Chapter No. 34)	272	
Montana dentistry regulation act, amendments (Chapter No. 34)	272	
Department of Agriculture:		
Appropriation	444, 457	
Department of State Lands and Investments:		
Appropriation	444	
Dependent Children:		
County share of participation in aid to (Chapter No. 7)	18	
Desertion:		
Disposition of fines and forfeitures for (Chapter No. 92)	253	
Wife and child (Chapter No. 208)	60	
child's age raised	191	
Director of Budget:		
Appropriation	461	
to finance study of all state funds	467	
to study and recommend savings by control of departmental expenditures	H.R. 6	
Budget act, return date of forms (Chapter No. 91)	207	
Discrimination:		
Employers not to discriminate against those over 45 against state policy to do so	H.J.R. 12	111
Fraternalities and sororities, with relation to race, creed and color	H.R. 3	
Disabled, Permanently and Totally:		
County share of participation in aid to (Chapter No. 6)	17	
Discrimination against those between 40 and 60 against state policy	H.J.R. 12	
District Courts:		
Appeals, workmen's compensation cases	423	
Court reporters salary increased (Chapter No. 22)		28
Defendant placed on probation, when		198
Execution of sentence suspended, when		198
Fees		
disposition	195	
increased	195	
Fines for unlawful operation of motor vehicles by those under 18, how distributed (Chapter No. 149)		185
Fourth judicial district		
three judges after July 1, 1961	20	
Judges		
departmentalization for election purposes (Chapter No. 229)		90
execution of sentence suspended, when		198
marriage license waiting period may be shortened by (Chapter No. 71)		68

District Courts—(Continued)	H. B.	S. B.
nomination and election of , departmentalization in districts having more than one judge (Chapter No. 229)		90
number in each district	20	
retirement	196	
salaries, increased (Chapter No. 187)		205
to appoint citizens committee to meet with with highway commission to determine right-of-way controversies		73
Jurisdiction		
delinquent child, definition	414	
offenses under habitual criminal act		9
Juvenile court proceedings, when publicity forbidden	415, 416	
Juvenile departments, probation officers (Chapter No. 166)	S.H.B. 221	
District Judges:		
Appropriation	444, 454	
District of Columbia to Vote in National Elections	H.J.R. 3, H.J.R. 6	
Ditches:		
Public nuisance, declaration by city or town (Chapter No. 63)	204	
Rural improvement districts for protection from (Chapter No. 30)	155	
Special improvement districts for protection from (Chapter No. 32)	156	
Divorce, Study of Teen-Age	H.R. 2	
Dogs:		
May be used to hunt black and brown bear	151	
Driver License Compact:		
Adoption of		184
Eastern Montana College of Education:		
Appropriation	440, 458	
Ecton, U. S. Senator Zales, Recovery of		S.R. 7
Education, Federal Aid to, Opposed	H.J.M. 8	
Election of House Officers and Attaches	pp.2, 17	
Elections:		
Absentee ballots when delivered to judges		203
Assistance to disabled electors at polls (Chapter No. 77)		158
Ballots		
absent ballots received until noon day preceding election transmitted		203
arrangement of	278	
classification as to real and personal property		120
Bond issue, county voting requirements	352	
Bond issue, municipal voting requirements	351	
Bond issue, state		
ballot classification	354	
voting requirements	353	
Bonds and levies, electors, qualifications		120
Bonds, school districts		
ballot classification, voting requirement	356	

SUBJECT INDEX

INDEX—29

Elections—(Continued)	H. B.	S. B.
Candidates and relatives as election judges (Chapter No. 99)		S.S.B. 26
Cities and towns		
nomination of candidates under commission-manager form of government (Chapter No. 36)	115	
officers, when area annexed (Chapter No. 76)	180	
residence requirements when area annexed (Chapter No. 76)	180	
Committeemen, county and city		
elected at general election		143
Constitutional convention proposed	129	
County superintendent of schools eliminated as officer elected by people	154	
County, township, precinct and municipal term of office increased to four years	147	
Date of primary nominating election changed		144
Disabled elector's secret ballot protected (Chapter No. 77)		158
District and supreme court judges (Chapter No. 229)		90
District court judges		
departmentalization (Chapter No. 229)		90
number of	20	
District of Columbia residents to vote in National elections	H.J.R. 3, H.J.R. 6	
Electoral college, elimination proposed	H.J.M. 2	
Electors		
qualifications		120
qualifications and privileges	355	
residence requirements lowered		45
secret ballot protected (Chapter No. 77)		158
Expenses for school elections, how paid	78	
General election		
ballot arrangement and rotation	278	
day not to be legal holiday	412	
Governor and lieutenant governor of same political party	40	
High school districts special levy election day (Chapter No. 163)	142	
Home rule provided for municipal corporations	121	
Judges and election clerks, qualifications (Chapter No. 99)		S.S.B. 26
Justices of supreme court departmentalized (Chapter No. 229)		90
Legislative pre-session caucuses		1
Legislators' term of service	24	
Municipal		
taxpayer approval not necessary before preliminary planning	385	
Municipal primary dispensed with, when (Chapter No. 36)	115	
Nominating petitions, filing before 5:00 (Chapter No. 38)	268	
Organization and powers of political parties		145
Petitions for nomination		
time for filing (Chapter No. 38)	268	
Political parties		
committeemen, county and city elected at general election		143
power to make own rules		145
registry books to include	46	
Primary, closed	46	
Primary elections, nominating petitions, time for filing (Chapter No. 38)	268	

	H. B.	S. B.
Elections—(Continued)		
Primary nominating election date changed		144
Proposed constitutional amendments		
justice, etc. courts, removal (Chapter No. 121)		67
term of county attorneys (Chapter No. 164)	168	
Qualifications, period of residence in annexation (Chapter No. 76)	180	
Registration by political party	46	
Schools		
additional levies	173	
School trustees, out-of-state		126
Special levy vote, high school board (Chapter No. 163)		
Term of office increased	147	
Electric Lines:		
Costs of disconnecting power and telephone lines when structure moved, borne by owner, when		192
Property used in construction, generation, transmis- sion or distribution, when transferrable	395	
Embalmers and Funeral Directors:		
Funeral services, contracts for	87	
License fees	70	
Qualifications	70	
Eminent Domain:		
Acquisition of property for purposes of mining (Chap- ter No. 216)		112
For mining and extracting of ores (Chapter No. 216)		112
For mining, purchase of adjacent property (Chapter No. 240)		181
Mining purposes, protection of public required (Chap- ter No. 240)		181
Employers and Employees:		
Employers not to discriminate against those over 45	H.J.R. 12	111
Wage, minimum establishment of	313	
Employment	pp. { 19, 52, 60, 144, 324, 635, 660, 688.	
Escheated Estates Fund	246	
Investment in land and real property	343	
Estates, Interest in Liens:		
Forfeiture	126	
Estates in Land:		
Acquisition by condemnation for public purposes (Chapter No. 234)	S.S.H.B. 134	
Evidence (Civil Matters):		
Writings		
certain instruments, erroneously executed and ac- knowledged, validated (Chapter No. 17)	161	
Examiners, State Board of:		
Appropriations, cannot decrease (Chapter No. 82)		6
Authorized to sell Valiton ranch (Chapter No. 226)	361	
Claims, cut-off date for fiscal year (Chapter No. 127)	206	
Claims for which appropriation made must process within fiscal year (Chapter No. 127)	206	
Duties		
Carey land act board transfer	10	
wheat and marketing research revolving fund	44	
Furnishing board ex officio capacity eliminated	9	

SUBJECT INDEX

INDEX—31

Examiners, State Board of—(Continued)	H. B.	S. B.
Liquidated claim, not to be approved by (Chapter No. 97)		3
Proposed constitutional amendment concerning powers and duties		154
Reimbursement to county for tax revenue loss from state-owned lands		38
Relating to certain powers and duties of (Chapter No. 80)		2
Salaries fixed by	6	
Executive Secretary, University of Montana:		
Appropriation	458	
Extradition of Prisoners:		
Appropriation	461	
Fees:		
Additional \$1.00 fee assessed on drivers' licenses for unsatisfied judgment fund	157	
Attorneys, limitation	318	
Broker-dealer (Chapter No. 251)		20
Car dealer license	68	
Chiropractic, relating to practice of (Chapter No. 188)	71	
Clerk of court, collected by	325	
Coroners	362	
Dentists (Chapter No. 34)	272	
District court		
disposition	195	
increased	195	
Embalmers and funeral directors	70	
Fish and game		
special non-resident antelope and deer	184	
special non-resident antelope and deer (Chapter No. 214)		S.S.H.S.S.B. 102
Food and drink manufacturers and purveyors	288	
Fuel users, temporary special (Chapter No. 200)	323	
Grass conservation commission fees against district (Chapter No. 241)	118	
Hide dealer or buyer (Chapter No. 44)	S.H.B. 175	
Indians, not to pay university attendance fees (Chapter No. 87)		157
Insurers, (Chapter No. 160)	S.H.B. 90	
Investment advisors (Chapter No. 251)		20
Licenses		
non-resident special black and brown bear hunting (Chapter No. 15)	83	
Liquor brand salesmen or promoters	187	
Liquor permit	229	
Massage therapy registration		46
Motor buses in urban passenger transportation		101
Motor vehicle		
adjustments on motor trucks, etc.	345	
gross vehicle weight schedules	265, 345	
license plates additional fee for reflectorizing	217	
registration or license fee	420	
single movement	67	
Notary public	382	
Noxious weed inspections	169	
Peddler	305	
Per diem, state employees (Chapter No. 108)	215	
Petroleum products inspection (Chapter 174)	S.S.H.B. 212	
Secretary of state, certain, increased (Chapters 116, 117)	393, 394	

Fees—(Continued)	H. B.	S. B.
Security salesmen (Chapter No. 251)		20
Shorthand reporter's examination fee	230	
State sealer, raised (Chapter No. 145)		171
Student fees, when not tuition (Chapter No. 158)	36	
Supreme court		
disposition	195	
increased	195	
Trust receipts financing increased (Chapter No. 117)	394	
Water well licenses (Chapter No. 176)	242	
Felonies:		
Abandonment and neglect of wife and child	191	
Animals		
removal from state without inspection (Chapter No. 173)	201	
Persons committed to state prison carrying or possessing deadly weapon (Chapter No. 131)	239	
Persons committed to state prison holding hostages (Chapter No. 128)	236	
Fertilizer:		
Regulations concerning commercial fertilizer repealed		138
Unmixed, phosphate content		35
Finance:		
Bond validating act, 1961 (Chapter No. 19)	233	
Fines and Forfeitures:		
Collected under desertion act, disposition of (Chapter No. 92)	253	
Disposition of, by courts (Chapter No. 92)	253	
Fire Districts:		
Voluntary in consolidated county municipalities (Chapter No. 191)	249	
Fire Marshal Division:		
Appropriation	461	
Fire Marshal, State:		
Appointment by governor	311	
Firemen and Fire Districts:		
Rights of firemen protected under merged county municipalities (Chapter No. 192)	250	
Voluntary fire districts preserved under merged county municipalities (Chapter No. 191)	249	
Fire Protection:		
County appropriation for	322	
Fireworks:		
Definition		18
Exemptions		18
Regulation of sale by minors, wholesalers (Chapter No. 107)	193	
Restrictions		18
Unlawful possession (Chapter No. 107)	193	
First Class Mail, Continuation of Railway Service.....		S.J.M. 2
Fiscal Procedures, Study of	H.J.R. 1	

	H. B.	S. B.
Fish and Game:		
Addition of orange and yellow clothing for hunters (Chapter No. 12)		16
Bear, black and brown may be hunted with dogs	151	
Bears, excluded certain restriction on waste of game (Chapter No. 40)	S.H.B. 79	
Black and brown bear, special licenses for non-resi- dents (Chapter No. 15)	83	
Black footed ferret included as fur-bearing animal (Chapter No. 69)		56
Brown and black bear as trophy animals (Chapter No. 40)	S.H.B. 79	
Canada lynx included as fur-bearing animal (Chapter No. 69)		56
Clothing for big game hunters, color for (Chapter No. 12)		16
Commission		
authority to acquire lands and waters after ap- proval by county commissioners		188
Contests prohibited (Chapter No. 133)	264	
Contests prohibited		129
Definitions, relating to	77	
Ex-officio fish and game wardens, appointment and qualification	105	
Fish		
contests, certain prohibitions		129
derbies, certain prohibitions		129
must be produced for inspection	192	
Fishing houses, requirements		180
Fox excluded as fur-bearing animal (Chapter No. 69)		56
Fur-bearing animals		
must be produced for inspection	192	
open and closed season, to include (Chapter No. 69)		56
Game animals		
contests, certain are prohibited (Chapter No. 133)	264	
excluded from game bird section of law		141
must be produced for inspection	192	
Game birds		
definitions	77	
must be produced for inspection	192	
Game fish		
fishing with salmon eggs, restrictions deleted	120	
Hunters to wear colored clothing (Chapter No. 12)		16
Hunting bear with dogs, when permitted	151	
Investment in land and real property	343	
Jack rabbits, night hunting prohibited		92
Licenses		
antelope and deer, special non-resident	184	
antelope, special non-resident		21
(Chapter No. 214)	S.S.H.S.S.B. 102	
bear, black and brown, special non-resident (Chap- ter No. 15)	83	
deer, special non-resident		21
(Chapter No. 214)	S.S.H.S.S.B. 102	
game farm regulations		142
non-resident		
antelope special	184	
black and brown bear, special (Chapter No. 15)	83	
deer, special	184	
possessing and controlling live fur-bearing animals		141
Licensing members of foreign armed forces (Chapter No. 72)		S.S.B. 72

Fish and Game—(Continued)	H. B.	S. B.
Members of armed forces, when considered residents (Chapter No. 72)		S.S.B. 72
Migratory bird reservations act consenting to acquisition by United States (Chapter No. 96)		22
land to U. S. for (Chapter No. 96)		22
Migratory game birds, mourning doves	77	
Mourning doves on migratory game bird list	77	
Night hunting of jack rabbits, unlawful		92
Non-game birds, definition	77	
Salmon egg restriction deleted	120	
Seasons for fur-bearing animals (Chapter No. 69)		56
Special non-resident antelope and deer licenses (Chapter No. 214)	S.S.H.S.S.B.	102
Special non-resident black or brown bear licenses (Chapter No. 15)	83	
Uncontrollable animals, authorized destruction		179
Veterans from Fort Sheridan hospital to fish and hunt without permit	429	
Wardens ex-officio, appointment and qualifications	105	
game warden's retirement system		148
Wasting of fish or game, bear excluded (Chapter No. 40)	S.H.B. 79	
Fish and Game Commission:		
Appropriation	459	
Forfeiture:		
How disposed of (Chapter No. 92)	253	
Fraternal Societies:		
Certain property of cooperative associations or non- profit corporations excluded from taxes		187
Funds:		
Alcoholism, fund special	302	
Cities and towns, special funds, invested in outstand- ing warrants (Chapter No. 31)	111	
County poor fund levy for an additional tax (Chapter No. 10)	15	
levy limitation	141	
Deposit of public funds by cities, towns and counties (Chapter No. 66)		32
Escheated estates fund	246	
investment in land and real property	343	
Firemen's disability and pension fund	232	
(Chapter No. 192)	250	
Fish and game, investment in land and property	343	
Gasoline license drawback fund appropriation	468	
credits (Chapter No. 42)	5	
decreasing credits to	138	
Hail insurance administrative fund (Chapter No. 189) disposition	186	
transfer	275	
Hail insurance fund disposition	227	
reimbursements to counties and state (Chapter No. 189)	275	
Hail insurance reserve fund transfer	186	
transfer to general fund	227	
	226	

SUBJECT INDEX

INDEX—35

Funds—(Continued)	H. B.	S. B.
Highway, bridge across Missouri	262	
Income tax withholding fund		
appropriation	468	
Industrial accident reserve fund		
investment in land and real property	343	
Industrial insurance fund		
rehabilitation of industrially injured workmen, al-		
location for (Chapter No. 21)	244	
when employers premiums reduced	426	
Irrigation districts		
transmission by county commissioners (Chapter		
No. 78)		98
Judicial retirement fund	196	
Milk control board funds, transfer of	279	
Montana highway patrolman's retirement fund		
investment in land and real property	343	
Montana trust and legacy fund		
investment in land and real property	343	
Motor vehicle fund	68	
Motor vehicle recording fund	68	
Municipal road fund	68	
Oil and gas conservation fund, transfer to general		
fund	224	
Permanent public school fund		
confirm vesting of title in state of farm mortgage		
lands (Chapter No. 221)		204
Police reserve fund rights (Chapter No. 190)	248	
Prison industrial revolving fund, use for penal build-		
ings, construction	421, 422	
Public employees retirement fund		
investment in land and real property	343	
Public information, dissemination of (Chapter No.		
42)	5	
Public school classroom unit assistance fund	470	
(Chapter No. 245)	469	
Public school equalization fund	437	
Public school permanent fund		
investment in land and real property	343	
School funds, how handled by county treasurer (Chap-		
ter No. 62)	179	
Schools		
district lunch fund, federal reimbursement (Chap-		
ter No. 209)		62
equalization fund, distribution	374	
permanent fund (Chapter No. 184)		S.S.B. 12
reserve fund	173	
reserve fund for transportation budgets	55	
transportation fund	173	
Snow removal emergency		27
Special alcoholism fund from liquor permit fee	229	
Special alcoholism fund, transfer to state hospital	228	
State aviation fund surplus, transfer to general fund	225	
State expenditures, study of financed	467	
State hail insurance reserve fund	276	
State highway construction funds	260	
State highway fund		
distribution	138	
credits (Chapter No. 42)	5	
distribution to cities, towns and counties		183
highway commission paid out of	84	
sales tax, motor vehicles	433	
State institutions, interest and income funds, use of		
(Chapter No. 89)	117	

Funds—(Continued)	H. B.	S. B.
State public building insurance fund	360	
State public school equalization fund		118
disbursements		131
distribution of (Chapter No. 60)	11	
reimbursement to school districts and county high schools (Chapter No. 242)	341	
Unclaimed in liquidated banks, disposition of (Chapter No. 143)		133
Unemployment compensation fund		
contributions, restoring	100	
Unemployment compensation minimum trust fund (Chapter No. 156)	27	
Unsatisfied judgment fund established	157	
Veterans compensation fund, transfer	223	
War veterans compensation bond retirement fund, transfer of interest earned	462	
Wheat and marketing research revolving fund	44	
Furnishing Board Eliminated	9	
Future Interests—See Property, Interests in Property		
Game Wardens Retirement System	148	
Garbage:		
Collection of under monthly charge (Chapter No. 202)	397	
Fine increased for dumping upon or near highways	139	
Garbage Collection:		
County levy for (Chapter No. 202)	397	
Gasoline Tax Refund:		
To apply to urban passenger transportation systems		100
General Fund:		
Unclaimed funds in liquidated banks to be deposited in (Chapter No. 143)		133
Geophysical Exploration:		
Proper plugging of shot holes (Chapter No. 175)	218	
Geriatrics:		
Custody, Montana state sanitarium (Chapter No. 94)	S.H.B. 359	
Governments, State and Local:		
Continuity in case of emergency, provision for		8
Government, Support of for 1961 and 1962 (Chapter No. 50)	316	
Governor:		
Appointees can be discharged, when	392	
Appointments		
board of education, certain members	22	
board of equalization	93	
natural resources, commissioner of	63	
state controller (Chapter No. 98)		5
state fire marshal and assistants	311	
Appropriation	461	
emergency expenditures authorized when (Chapter No. 82)		6
Commissioner of agriculture responsible to	3	

SUBJECT INDEX

INDEX—37

Governor—(Continued)	H. B.	S. B.
Duties, criminal jurisdiction over certain Indians, their reservations and lands	298	
Motor vehicles, state owned, authority regarding (Chapter No. 157)	32	
Political party of lieutenant governor	40	
President of state board of education	22	
Salaries, when fixed by	6	
State mobile homes park board, appointment by	307	
Governor's Mansion:		
Appropriation	461	
Governor's Mansion, Old:		
Restoration, preservation and maintenance (Chapter No. 141)		113
Grain:		
Grain standards, storage and inspection (Chapter No. 224)	176	
Trucks and tractor-trailers as grain dealers (Chapter No. 224)	176	
Grain Dealer, Definition (Chapter No. 224)	176	
Grain Warehouseman, Regulation of (Chapter No. 224)	176	
Grants:		
Dependent children grants, county share of participation reimbursement (Chapter No. 7)	18	
Needy blind grants, county share of participation reimbursement (Chapter No. 8)	19	
Old age assistance grants, county share of participation reimbursement (Chapter No. 5)	16	
Permanently and totally disabled grants, county share of participation reimbursement (Chapter No. 6)	17	
Grass Conservation Act:		
Grass conservation commission, secretary, salary (Chapter No. 241)	118	
Grass Seed:		
Regulations for mixing (Chapter No. 168)	247	
Grazing Privileges, Determination in Plaintiff's District	H.J.M. 14	
Guardian:		
Prohibiting unauthorized minor to drive motor vehicle	128	
Habitual Criminal Act		9
Hail Insurance, State:		
Crop lien for hail insurance second only to seed purchase crop lien	47	
Funds, disposition of	275	
Hail insurance fund, reimbursements to counties and state (Chapter No. 189)	186	
Levy, scope of	276	
Lien of tax, when cancelled under hail insurance act	48	
Refunds to farmers of annual state crop hail insurance underwriting profits	276	
Reserve fund transfer to general fund	226	

Hail Insurance, State—(Continued)	H. B.	S. B.
State board abolished and duties transferred to commissioner of agriculture		44
State board of hail insurance		
abolished	167	
chairman's salary increased (Chapter No. 165)	194	
personnel's mileage, per diem and compensation (Chapter No. 165)	194	
powers permanently suspended	227	
Hides:		
Handling by slaughterhouse, inspection of (Chapter No. 37)	189	
Sale and purchase regulations (Chapter No. 44)	S.H.B. 175	
Sale where brand mutilated (Chapter No. 113)	S.H.B. 282	
"Highway" Defined (Chapter No. 178)	96	
Highways, Bridges and Ferries—See also State Highway Commission		
Abandoned or unattended vehicles, removal of	150	
Abandonment or vacation, requirements		153
Acquiring of property, future needs (Chapter No. 180)	S.S.H.B. 135	
Added violations of motor vehicle registration laws (Chapter No. 122)		81
Advertising, regulation of	153	
Appropriation, highway department	457	
Arterial highway defined	398	
Bridge across Missouri, appropriation	262	
Bridges		
city maintenance, when	340	
conspicuously marked	H.J.R. 5	
county maintenance, when	340	
definition	340	
Chemical analysis for intoxication, concurrent jurisdiction, restricted licenses (Chapter No. 109)	97	
Commission—See also State Highway Commission		
Construction, repair and maintenance, fees for	68	
Controlled access highway policy	398	
Daylight speed limit	59	
Definitions		
highway to mean state highway (Chapter No. 178)	96	
state highway	95	
Distribution of gasoline license tax, increase in advertising fund (Chapter No. 42)	5	
Distribution of proceeds of tax funds	138	
Driver instruction permit for children (Chapter No. 120)		55
Drivers license compact		184
Driver's licenses—See also Motor vehicles, operator's and chauffeur's license		
altered (Chapter No. 70)		58
revocation for forfeiture of bail (Chapter No. 125)	130	
Dumping garbage upon or near highways, fine increased	139	
Elimination of wasteful and extravagant standards		S.M. 3
Establishing, altering or vacating highways		
Lewis and clark highway (Chapter No. 204)		14
notification by certified mail of petitioners and land owners in highway locations (Chapter No. 123)		125
Excessive loads removed from highway, how cared for		80

SUBJECT INDEX

INDEX—39

Highways, Bridges and Ferries—(Continued)	H. B.	S. B.
Fee simple estate may be acquired, when (Chapter No. 234)	S.S.S.H.B. 134	
Forfeiture of bail, effect of (Chapter No. 27)	112	
Grazing of livestock on interstate (Chapter No. 186)		182
Gross vehicle weight of trucks, increase for speed limit (Chapter No. 119)		47
"Highway" changed to "state highway" (Chapter No. 178)	96	
Highway fund, distribution to cities, towns and counties		183
Highway funds, appropriation for bridge across Missouri	262	
Highway location, notification by certified mail (Chapter No. 123)	125	
Highway policy of state extended	398	
Intersection of highways		
yield-right-of-way signs	171	
Interstate highways, reduction of waste and extravagance		S.M. 3
Instruction permit, signing of (Chapter No. 140)		109
Irrigable land acquired for highway purposes (Chapter No. 182)	182	
Lands required for public use with relation to interstate highways		73
Lewis and Clark highway established (Chapter No. 204)		14
Livestock, grazing on public highway, when unlawful (Chapter No. 186)		182
Livestock prohibited from grazing on highways right-of-way		82
Maintenance division of Montana highway department subject to approval and control of state highway commission	85	
Maintenance to be discontinued on joint order of highway commission and county commissioners		153
Marking of bridges	H.J.R. 5	
Notification by county of proposal to establish, alter or vacate road (Chapter No. 123)		125
Payment to irrigation and drainage districts (Chapter No. 182)	182	
Public utility facilities, relocation costs reduced to state		199
Regulating traffic on highways, no-passing zones	49	
Report of state highway commission of money available to county commissioners (Chapter No. 124)		S.S.B.130
Revocation of driver's license (Chapter No. 110)	98	
Right-of-way		
citizens committee to meet with highway commission to determine		73
livestock prohibited from grazing on		82
seeding of perennial grass covers on newly disturbed areas (Chapter No. 222)	S.H.B. 124	
Right-of-way and other properties		
acquisition of (Chapter No. 180)	S.S.H.B. 135	
procurement of (Chapter No. 180)	S.S.H.B. 135	
School safety patrols, authorization of		37
Secondary road information to counties (Chapter No. 124)		S.S.B.130
Seeding of roadsides to grass (Chapter No. 222)	S.H.B. 124	
Speed restrictions	59	
trucks, truck-tractors, motor driven cycles, etc., (Chapter No. 119)		47

Highways, Bridges and Ferries—(Continued)	H. B.	S. B.
Suspension of driver's license		
probationary license (Chapter No. 101)		132
removal of exceptions (Chapter No. 161)	99	
Throughway intersection area defined	398	
Trash containers, how marked	122	
Vehicles, color of	31	
Weight and size limitations (Chapter No. 119)		47
Yield signs, specifications by state highway commis- sion	72	
Highway Patrol:		
Abandoned or unattended vehicles, removal by	150	
Ambulances on calls to have first-aid man		122
Appropriation	457	
Department vehicles, color	31	
Driver license compact		184
Patrolmen, salaries increased	144	
Safety inspections by highway patrol		161
Suspension, revocation or cancellation of drivers li- cense (Chapter No. 125)	130	
Uniform arrest act		65
Hinman, Edna J.:		
Appropriation request for reimbursement	453	
Historical Society of Montana:		
Appropriation	454	
Appropriation for sale of Russell painting	452	
Old governor's mansion, restoration, preservation and maintenance (Chapter No. 141)		113
Holidays:		
Eliminating certain legal holidays	412	
Veteran's day excluded		61
Home for Aged:		
Appropriation	30,456	
Home for Senile Men and Women:		
Appropriation for addition of wings	30,456	
Homicide:		
Definition of voluntary and involuntary manslaughter	252	
Manslaughter definitions	252	
Punishment	252	
Housemoving:		
Costs of disconnecting power and telephone lines borne by owner, when		192
Housing:		
Extension of emergency housing facilities (Chapter No. 231)		136
Housing, Colleges and Universities	37	
Housing, Emergency:		
Provision for operation of	281	
Husband and Wife:		
Abandonment and neglect of wife and child	191	
Import and Export Quotas on meat and meat products		S.J.M. 4

	H. B.	S. B.
Imprisonment:		
Term, time of commencement (Chapter No. 130)	238	
Indian Reservations:		
School attendance, when compulsory (Chapter No. 35)	304	
Indians:		
Criminal jurisdiction over certain Indians, their reser- vations and lands	298	
Permitted to attend units of university without pay- ment of fees (Chapter No. 87)		157
Grant of authority to school boards by tribal councils (Chapter No. 35)	304	
Number of students who may attend university with- out fees (Chapter No. 87)		157
Indictment:		
Consolidation of two or more by court (Chapter No. 172)	S.S.H.B. 165	
May charge two or more offenses (Chapter No. 172)	S.S.H.B. 165	
Indictments and Informations:		
Charging of more than one offense (Chapter No. 172)	S.S.H.B. 165	
Industrial Accidents—See Workmen's Compensation Act		
Industrial Accident Board:		
Appropriation	461	
Increase in salary of appointed member (Chapter No. 148)		178
Industrial Accident Reserve Fund:		
Investment in land and real property	343	
Industrially Injured Workmen:		
Rehabilitation of (Chapter No. 21)	244	
Industries, Water for (Chapter No. 194)	266	
Information:		
Consolidation of two or more by court (Chapter No. 172)	S.S.H.B. 165	
May charge two or more offenses (Chapter No. 172)	S.S.H.B. 165	
Inheritance Tax:		
Determination of tax on certain deeds (Chapter No. 248)		103
Initiative and Referendum:		
Calling for submission to electors proposed call for constitutional convention	129	
In Memoriam: See also Memorials		
John B. Bourassa	Page 637	
George T. Booth, Sr.	Page 637	
J. L. Davey	Page 637	
Eldon J. Freed	Page 638	
Allen Goodgame	Page 638	
Augustus H. Gray	Page 638	
H. Clay Groff	Page 638	
George W. Gustafson	Page 638	

In Memoriam—(Continued)

H. B.

S. B.

Dave J. Hagerty	Page 639
Stephen A. Holt	Page 639
Charles A. Lemmon	Page 639
Michael J. Loughran	Page 639
Ben B. Miles	Page 639
Leonard W. Moen	Page 640
Samuel E. Moss, Sr.	Page 640
G. Fred Mundy	Page 640
Joseph N. Nass	Page 640
Ben E. Nelson	Page 640
Stuart H. Nicholson	Page 640
Will H. Northey	Page 641
John Oliver	Page 641
Fred H. Padbury	Page 641
Julius M. Peterson	Page 642
Robert J. Phillips	Page 642
Lisle D. Powell	Page 642
William Harrison Reeder	Page 642
Herbert D. Rolph	Page 643
William M. Ruffcorn	Page 643
Edward J. Settle	Page 643
George H. Shanley	Page 643
James H. Stewart	Page 643
Edmond G. Toomey	Page 643
Asa Willard	Page 644
Archie Wilson	Page 644
J. Harry Wilson	Page 644

Instruments:

Validating where erroneously executed or acknowledged (Chapter No. 17)	161
--	-----

Insurance:

Agent, temporary licenses	251
Companies	
investments on real estate and interest therein (Chapter No. 16)	145
investments in real estate mortgage (Chapter No. 20)	234
Counties, indemnity insurance, payment of, charges for	338
Group insurance, conversion on termination of eligi- bility	425
Group insurance for county, city and town employees	104
Increase in tax on net premiums (Chapter No. 160)	S.H.B. 90
Investments in real estate (Chapter No. 16)	145
Investments in real estate mortgages (Chapter No. 20)	234
Licenses, fees and taxes, how imposed (Chapter No. 160)	S.H.B. 90
Life insurance	
group, termination conversion	425
nonforfeiture provisions (Chapter No. 65)	292
Mortality tables for valuation of life insurance poli- cies and contracts (Chapter No. 61)	146
Motor vehicle financial security act	
Motor vehicles	
insurance coverage to insured car owners when other party to accident is uninsured	449
Nonforfeiture provisions of life insurance policies (Chapter No. 65)	292

SUBJECT INDEX

INDEX—43

Insurance—(Continued)	H. B.	S. B.
Policies		
nonforfeiture provisions (Chapter No. 65)	292	
valuation of life insurance policies and contracts (Chapter No. 61)	146	
State officers and employees may enter into group insurance plans	174	
State property, premiums appropriation	460	
State public building insurance fund	360	
Title insurance, definition	336	
Title insurance policies		
when written by licensed abstract company	336	
when written by licensed attorney	336	
Valuation of life insurance policies (Chapter No. 61)	146	
Insurance Department:		
Appropriation	461	
Insurance Rating:		
Appropriation	461	
Investments:		
Insurance companies, investments on real estate and interest therein (Chapter No. 16)	145	
Investment Commissioner:		
Appropriation	461	
Investment Commissioner Office Created (Chapter No. 251)		20
Investment Companies:		
Office of investment commissioner created (Chap- ter No. 251)		20
Irrigation Districts:		
Acquiring irrigable land for highway purposes (Chap- ter No. 182)	182	
Location of office (Chapter No. 78)		98
Payment by highway commission for unpaid costs of project (Chapter No. 182)	182	
Separately owned tracts, minimum charge (Chapter No. 135)	376	
Taxation, annual levy (Chapter No. 135)	376	
Joint County Youth Guidance Centers:		
Establishment and maintenance (Chapter No. 24)	S.H.B. 42	
Judges:		
Affidavits of disqualification in district courts	167	
Disqualification of	167	
Election of, district and supreme court (Chapter No. 229)		90
Salary increase, district and supreme court (Chapter No. 187)		205
Judicial Council, Creation of	308	
Justice of the Peace:		
Disqualification of (Chapter No. 218)		167
Proposed constitutional amendment to eliminate as constitutional officers (Chapter No. 121)		67

	H. B.	S. B.
Juveniles:		
Admission of public to hearing (Chapter No. 132)	241	
Juvenile Courts and Delinquents:		
“Delinquent child”, defined	414	
Evaluation juvenile court law	H.J.R. 11	
Hearings in juvenile courts, public admitted when (Chapter No. 132)	241	
Probation officers (Chapter No. 166)	221	
Publicity, relating to	415, 416	
Kearney, Thomas J.:		
Appropriation request for reimbursement	455	
Korean Bonus—See also Veterans		
Application time extended		176
Labor:		
Contracts with state agencies or institutions	309	
Disputes, secret ballot to settle		139
Employment discrimination against middle-aged con- trary to public policy	H.J.R. 12	
False representation to procure workmen, prohibited	378	
Public contracts, preference of Montana residents (Chapter No. 43)	162	
Secret elections established	430	
State board of labor relations		
change of name from state board of arbitration and conciliation	430	
Strikebreakers, employment prohibited	378	
Vocational rehabilitation, name changed to division of vocational rehabilitation (Chapter No. 53)	S.H.B. 61	
Workmen procurement under false representation, prohibited	378	
Labor and Industry:		
Appropriation	457	
Laborers' and Materialmen's Liens:		
Fail if owners estate forfeited		126
Labor Unions:		
State agency or institution empowered to negotiate and sign contracts with	309	
Landlord's Lien:		
Enforcement of	396	
Lands—See State Lands		
Acquired for youth guidance centers (Chapter No. 24)	S.H.B. 42	
Confirm vesting of title in state of farm mortgage lands (Chapter No. 221)		204
Fee simple estate may be acquired, when (Chapter No. 234)	S.S.S.H.B. 134	
Irrigable land acquired for highway purposes (Chap- ter No. 182)	182	
Required for public use must be compatible with greater public good		73
Right-of-way controversies, how determined		73
Lands and Investments:		
Appropriation	457	

	H. B.	S. B.
Law Library:		
Appropriation	454	
Legal Holidays:		
General election day not to be legal holiday	412	
Legislative Assembly—See Legislature		
Legislative Council:		
Appropriation for operation	26	
Evaluation of juvenile court law	H.J.R. 11	
Examine fees collected by state agencies		S.J.R. 3
Reorganization of state government	H.J.R. 4, H.J.R. 8	
Study air and water pollution		S.J.R. 7
Study curbs for quick marriage		S.J.R. 2
Study fiscal procedures	H.J.R. 1	
Study forest lands and oil and gas leases		S.J.R. 6
Study possibility of natural resources department, H.J.R. 2		
Legislative Proceedings and Dissemination:		
Postage to be added to cost		148
Legislature:		
Appropriation		
additional, 37th assembly	448	
repair furniture, halls and lobbies	465	
Caucuses, pre-session, date set	405	1
Committee, rules revision		S.R. 1, S.R. 2, S.R. 3, S.R. 4
Compensation, officers and employees (Chapter No. 1)	2	
Daily electronic posting of RCM sections		S.J.R. 9
Furniture repair at prison	H.R. 1	S.R. 10
Helena high school thanked for "Oklahoma"		S.R. 16
House of representatives		
reapportionment	54, 64, 407	
reapportionment (Chapter No. 233)	116	
Legislative guide, hiring of		S.J.R. 5
Legislators and employees		
standards of conduct to avoid conflict of interests		149
Lobbyists to practice refinement		S.R. 11
Measures, first two readings replaced by report		S.R. 12
Members term of service	24	
Mileage of members	375	
Number of representatives increased	54	
Per diem of members	375	
Powers of punishment by death sentence prohibited	91	
Pre-session legislative caucuses, date set	405	1
Proceedings, free copies to deaf	45	
Printing of measures by offset methods		S.J.R. 1
Reapportionment of representatives	54, 64, 407	
Reapportionment of representatives (Chapter No. 233)	116	S.J.R. 4
Rules—See Also Committee Above		
Amending	S.R. 8, S.R. 9, S.R. 14	
Amending joint	S.J.R. 4, S.J.R. 8, S.R. 14	
Salary of executive officer of state board of health fixed by (Chapter No. 212)		96
Senate attaches, held over		S.R. 19
Senate bills, engrossment		S.R. 6, S.R. 9
Senate law clerk, employment		S.R. 5
Levies—See Taxation, Levy of Taxes		
Lewis and Clark Highway:		
Established (Chapter No. 204)		14

	H. B.	S. B.
Libby Dam:		
Urging construction	H.J.M. 7, S.J.M. 1	
Libel:		
Opportunity to correct by news media (Chapter No. 159)	S.H.B. 53	
Reasonable notice to publisher to correct libelous matter (Chapter No. 159)	S.H.B. 53	
Libraries:		
Name change, state library extension commission (Chapter No. 55)	S.H.B. 82	
Library Extension Commission:		
Appropriation	461	
Powers and duties (Chapter No. 55)	S.H.B. 82	
Licenses:		
Antelope, non-resident	184	21
(Chapter No. 214)	S.S.H.S.S.B. 102	
Attorneys, increased (Chapter No. 18)	190	
Beer, fraternal groups included in quota		127
Beer licenses and permits, references to deleted		74
Chiropractic, relating to practice of (Chapter No. 188)		71
Coal mining license tax	284, 285	
Corporation license tax	89	
state banks exempt		29
Cosmetology	366	
apprentice license eliminated	366	
charge for late renewals (Chapter No. 115)	367	
manager-operator license	337	
operator's license	337	
requirements (Chapter No. 244)	S.H.B. 435	
Deer, non-resident	184	21
Dentists (Chapter No. 34)	272	
Drivers license compact		184
Drivers		
additional \$1.00 fee assessed on driver's licenses for unsatisfied judgement fund	157	
authority of board to suspend or revoke license		71
compulsory examinations every six years		194
convictions for violations of forfeiture of bail (Chapter No. 27)	112	
exempting drivers of government-owned or leased vehicles (Chapter No. 137)		48
expiration, obsolete reference deleted		85
licenses from other jurisdictions to be surrendered and returned, when		86
must be 15 for permit or license, extension (Chapter No. 120)		55
probationary (Chapter No. 101)		132
re-examination and interview	127	
restricted portion deleted (Chapter No. 109)	97	
revocation of (Chapter No. 110)	98	
suspend or revoke license		71
suspension and revocation (Chapter No. 161)	99	
suspension, revocation or cancellation (Chapter No. 125)	130	
to contain photograph (Chapter No. 249)	342	
unlawful use (Chapter No. 70)		58
when applicant minor (Chapter No. 140)		109
Embalmers and funeral directors	70	

Licenses—(Continued)	H. B.	S. B.
Fish and game		
game farm regulations		142
members of armed forces, residence requirements		S.S.B. 72
non-resident antelope and deer licenses (Chapter		
No. 214)	S.S.H.S.S.B.	102
possessing and controlling live fur-bearing animals		141
special non-resident antelope and deer licenses	184	21
special non-resident black and brown bear (Chapter		
No. 15)	83	
veterans, certain exemptions	429	
Food and drink manufacturers and purveyors	288	
Grain dealer (Chapter No. 224)	176	
Hide dealer or buyer (Chapter No. 44)	S.H.B.	175
Insurance agents, temporary license	251	
Insurers, net premiums (Chapter No. 160)	S.H.B.	90
Liquor, special licenses		128
Liquor brand salesman or promoters	187	
Marriages, age of consent raised		69
issuance of in five days after application, excep-		
tion (Chapter No. 71)		68
Massage, therapy		46
Mobile home park	307	
Motor boats, application to be accompanied by tax		
receipt (Chapter No. 219)		169
Motor buses		101
Motor vehicles (Chapter No. 71)	68	
additional fees	345	
license or registration fee	420	
license plates additional fee for reflectorizing	217	
single movement, special	67	
Motor vehicle dealers \$100.00	432	
Motor vehicle registration, penalties for violations		
(Chapter No. 122)		81
Non-resident, antelope and deer (Chapter No. 214) ...	S.S.H.S.S.B.	102
special	184	21
Non-resident, special for black and brown bear (Chap-		
ter No. 15)	83	
Oil and gas conservation privilege and license tax		
(Chapter No. 47)	S.H.B.	216
Peddler	305	
Petroleum products, dealer's license (Chapter No. 146)		173
Petroleum products, retailer's meters or measuring		
devices (Chapter No. 220)		172
Physical therapist, requirements (Chapter No. 39) ...	94	
Racing association (Chapter No. 57)	S.H.B.	295
Real estate brokers	203	
Real estate salesmen	203	
Retail liquor license, limitation	35	
Store license, repealed	69	
Tourist camp ground	307	
Trading stamps	441	
(Chapter No. 153)	442	
under county, city and town trading stamp act	443	
Well contractors (Chapter No. 176)	242	
License Plate Factory:		
Appropriation	456	
Liens:		
Chattel mortgage		
lien's duration (Chapter No. 67)		S.S.B. 34
renewal (Chapter No. 67)		S.S.B. 34

Liens—(Continued)	H. B.	S. B.
Labor and material		
oil and gas wells and pipelines liens	126	
Landlord's lien, enforcement of	396	
Motor vehicles, penalty for failure to file discharge of lien etc. with registrar		104
Seed purchase lien priority over hail insurance	47	
State hail insurance crop lien second to seed purchase crop lien	47	
Tax lien cancelled under hail insurance act, when	48	
Lieutenant Governor:		
Political party of governor	40	
Livestock:		
Animal hides, sale and purchase (Chapter No. 44) S.H.B.	175	
Brands, mutilated on beef, veal or hides (Chapter No.113)	S.H.B. 282	
Brucellosis vaccinations required, when		146
Estrays, definition to include sheep	57	
Grazing on highways rights-of-way prohibited		82
Grazing on interstate highways (Chapter No. 186)		182
Grazing on public highway, when unlawful (Chapter No. 186)		182
Hides		
certificate (Chapter No. 44)	S.H.B. 175	
definitions (Chapter No. 44)	S.H.B. 175	
hide licensing requirements, slaughterhouses ex- cluded (Chapter No. 44)	S.H.B. 175	
marking of (Chapter No. 37)	189	
Increase in fees against state grazing districts (Chap- ter No. 241)	118	
Inspectors		
may seize beef, veal or hides, when (Chapter No. 113)	S.H.B. 282	
Live inspection authorized (Chapter No. 37)	189	
Live inspection of meat cattle (Chapter No. 37)	189	
Livestock markets, hides, marking of (Chapter No. 37)	189	
Meat import quotas, review		S.J.M. 4
Meat inspection of (Chapter No. 37)	189	
Moving or transportation of, when brucellosis vaccin- ation required		146
Purebred stock		
travel permit for show purposes (Chapter No. 9)	56	
Removal from state without inspection (Chapter No. 173)	201	
Removal from state without inspection a felony (Chapter No. 173)	201	
Sale of, seized for mutilation of brand (Chapter No. 113)	S.H.B. 282	
Sheep, "estrays" to include	57	
Stock inspector to seize when brand mutilated (Chap- ter No. 113)	S.H.B. 282	
Transporting registered purebred cattle for show pur- poses (Chapter No. 9)	56	
Trespass on state lands		10
Livestock Commission:		
Appropriation	457	
Livestock Sanitary Board:		
Abolishing and transferring powers and duties	3	
Appropriation	457	

SUBJECT INDEX

INDEX—49

	H. B.	S. B.
Loans:		
Consumer loans act amended		52
Money, rates to be fixed		52
Lobbyists to Practice Refinement		S.R. 11
Madison County:		
State land, tract authorized sold (Chapter No. 84)		30
Mail:		
Railway and air mail service for Montana		S.J.M. 2
Manslaughter—See Homicide		
Manufactures:		
Petroleum products dealers license (Chapter No. 146)		173
Marriage:		
Annulment		
causes for		70
custody of children of annulled marriages		70
issue of certain marriages legitimate		70
Five-day waiting period after application (Chapter No. 71)		68
Teen-age, committee to study	H.R. 2	S.R. 15
Licenses		
age of consent raised		69
not to issue for five days after application excep- tion (Chapter No. 71)		68
Meat Import Quotas, Review		S.J.M. 4
Medical University College or School:		
Definition of approved unit with relation to license to practice (Chapter No. 29)		152
Medicine:		
Board of medical examiners, authority, fees foreign doctors (Chapter No. 29)		152
Meetings:		
Labor, between employers and labor organizations		139
Memorials—See also In Memoriam		
Memorials, House Joint:		
HJM 1. Better business climateIndex page		
HJM 2. Election of President by popular voteIndex page		
HJM 3. Better business climateIndex page		
HJM 4. Opposing railroad mergerIndex page		
HJM 5. State retain 10% of Federal taxes for educationIndex page		
HJM 6. Request extension of 1948 Sugar ActIndex page		
HJM 7. Requesting appropriation for Libby DamIndex page		
HJM 8. Opposing Federal aid to educationIndex page		
HJM 9. Opposing surrender of domestic sov- ereignty to World CourtIndex page		
HJM 10. Private enterprise for Yellowtail DamIndex page		

Memorials, House Joint—(Continued)	H. B.	S. B.
HJM 11. Protest closing of waters in Yellow-Stone to power boatingIndex page		
HJM 12. Requesting Federal approval of private enterprise for hydroelectric facilities at Buffalo RapidsIndex page		
HJM 13. National park on Missouri RiverIndex page		
HJM 14. Review of grazing licenses in U. S. District Court instead of Washington, D. C.Index page		
HJM 15. Requesting state correctional institutions for adults be eligible to receive surplus foodIndex page		
HJM 16. Opposing discontinuance of Milwaukee passenger serviceIndex page		
HJM 17. Opposing railroad mergerIndex page		
HJM 18. Asking WW I Veterans pensionIndex page		
Memorials, Senate Joint:		
SJM 1. Urging approval of Libby DamIndex page		
SJM 2. Requesting continuation of rail service for first class mailIndex page		
SJM 3. Requesting Federal commission to deal with obscene literatureIndex page		
SJM 4. Asking Tariff Commission to review import quotas on wheatIndex page		
Mental Hygiene Division:		
AppropriationIndex page	456	
Mentally and Physically Handicapped Children:		
Special education (Chapter No. 41)Index page	34	
Merchandise Trading Stamps:		
Issuance unlawfulIndex page	43	
License (Chapter 153)Index page	442	
sameIndex page	441, 443	
RedemptionIndex page	23	
Regulation (Chapter 153)Index page	442	
Trading stamp actIndex page	389	
Merchants and Manufacturers Act:		
Procedure for assessing changedIndex page	347	
Merchants and Manufacturers Inventory Act:		
Applicable, whenIndex page	346	
Merit System—See Public Officers and Employees		
Messages from the Gov- ernorpp. { 22, 54, 70, 336, 355, 434, 463, 481, 504, 529, 545, 565, 577, 593, 608, 655, 691.		
Metropolitan Improvement DistrictIndex page	240	
Migratory Bird Reservations:		
Act consenting to acquisition by United States (Chapter No. 96)Index page		22
Mileage:		
Hail insurance commissioner and employees (Chapter No. 165)Index page	194	

SUBJECT INDEX

INDEX—51

Mileage—(Continued)	H. B.	S. B.
Increase for state and county officers, employees, etc. (Chapter No. 106)	181	
Militia and Military:		
National guard		
appropriation for construction of training facilities	209	
personnel eligible for membership in public employ- ers retirement system (Chapter No. 181)	172	
state militia, revitalization relating to	280	
State militia, revitalization	280	
Milk—See Dairies and Dairy Products		
Milk Control Board:		
Abolishing and transferring power and duties		3
Appropriation	457	
Mines and Mining:		
Acquiring right of eminent domain for (Chapter No. 216)		112
Acquisition of property by eminent domain (Chapter No. 216)		112
Annual assessment work defined		43
Coal for heating county and public school buildings (Chapter No. 150)		201
Coal mining		
license tax	285	
lignite, license tax	284	
Eminent domain, relating to right of (Chapter No. 240)		181
License tax, lignite coal mining	284	
Mining claims, annual work on lode or placer claims		43
Open pit mines or mine shafts, fencing of	434	
Purchase of adjacent property upon condemnation (Chapter No. 240)		181
Shafts, fencing of	434	
Minors—See Children and Minors		
Misdemeanor:		
Fishing houses, failure to remove		180
Grazing livestock on public highway, when (Chapter No. 186)		182
Jack rabbits, night hunting prohibited		92
Motor vehicle registration receipt, failure to carry (Chapter No. 139)		79
Weighing devices, use of without state seal (Chapter No. 147)		174
Mobile Homes Park:		
State mobile home park board	307	
Montana Support of government for 1961 and 1962 (Chapter No. 50)	316	
Montana Agricultural Experiment Station:		
Appropriation	458	
Montana Beer Act:		
Beverages subject to act	350	
Montana Board of Shorthand Reporters:		
Creation of	230	

	H. B.	S. B.
Montana Children's Center:		
Amounts paid by counties and parents increased (Chapter No. 170)	410	
Appropriation	446	
Control and supervision vested in state board of edu- cation	22	
Increase in amounts paid by counties and parents (Chapter No. 170)	410	
Montana Grain Inspection Laboratory:		
Duties regarding tagging of seeds (Chapter No. 196)	273	
Montana Grass Conservation Commission:		
Abolished, duties transferred	63	
Montana Highway Patrolman's Retirement Fund:		
Investment in land and real property	343	
Montana Law Enforcement Academy:		
Additions to advisory board (Chapter No. 28)	119	
Advisory board, composition of (Chapter No. 28)	119	
Montana Livestock Commission:		
Abolishing and transferring powers and duties	3	
Montana Motor Vehicle Reciprocity Board:		
Membership	50	
Montana Natural Resources:		
Unlawful to add fictitious or phantom charges, when	381	
Montana Poultry Improvement Board:		
Abolished (Chapter No. 59)	7	
Duties transferred (Chapter No. 59)	7	
Montana Preference:		
Bids on state, county, city or town contracts, when		202
Coal, state and county use, native when possible (Chapter No. 150)		201
Contracts, public, Montana residents (Chapter No. 43)	162	
Montana Preference Act:		
Contracts, Montana residents (Chapter No. 183)	363	
Montana Products:		
Unlawful to add fictitious or phantom charges, when	381	
Montana Reports—See Supreme Court		
Montana School of Mines:		
Appropriation	458	
Montana Soldiers Home	456	
Appropriation for new residence hall	52	
Montana State College:		
Appropriation	440, 458	
Montana State Egg Seal:		
Price increase	4	
Montana State Sanitarium—See Tuberculosis Sanitarium		

Montana State Sanitarium—(Continued)	H. B.	S. B.
Formerly Montana state tuberculosis sanitarium (Chapter No. 94)	359	
Montana State University:		
Appropriation	440, 458	
Montana Territorial Centennial Commission:		
Creation of	327	
Governor to appoint	H.R. 9	S.R. 18
Montana Trade Commission:		
Abolishing and transferring powers and duties	3	
Montana Trading Stamp Control Act:		
Distribution of trading stamps	389	
Montana Trust and Legacy Fund:		
Investment in land and real property	343	
Montana Veterans and Pioneers Memorial Building:		
World war I veterans, providing for use by (Chap- No. 54)	81	
Montana Water Well Contractors License Act:		
Examining board, duties (Chapter No. 176)	242	
Licenses and fees (Chapter No. 176)	242	
Montana Wheat Research and Marketing Committee	44	
Mortgages:		
Chattel, duration of liens, renewal, motor vehicles and livestock (Chapter No. 67)		S.S.B. 34
Real estate, investments in by insurance companies (Chapter No. 20)	234	
State mortgage lands and farm mortgage loans (Chapter No. 184)		S.S.B. 12
Vesting title in state of farm mortgage lands (Chap- ter No. 221)		204
Motorboats:		
Certificate of payment of tax (Chapter No. 219)		169
License application to be accompanied by tax receipt (Chapter No. 219)		169
Life preservers and fire extinguishers (Chapter No. 138)		57
Motorboats equipment requirements no fire extinguisher required if under 26 feet in length (Chapter No. 138)		57
Motor Carrier Act of 1961	330	
Motor Carriers:		
Class A, taxation of motor fuels used by		177
Classifications (Chapter No. 201)	388	
Rate schedules, how filed (Chapter No. 201)	388	
Registration and license fees when engaged in urban passenger transportation		101
Rules of service (Chapter No. 201)	388	
Motor Vehicles:		
Abandoned or unattended vehicles, removal of	150	
Abandoning vehicles prohibited	149	

Motor Vehicles—(Continued)	H. B.	S. B.
Accidents, reporting within 10 days where person killed or injured or damage exceeds \$100		108
Added violations of registration laws (Chapter No. 122)		81
Ambulances, qualified first-aid man to go on calls		122
"Behind-the-wheel" training not mandatory in secondary schools		197
Certificate of ownership carried during re-registration (Chapter No. 139)		79
Chemical analysis for intoxication, concurrent jurisdiction, restricted licenses (Chapter No. 109)	97	
Disposition of fines for unlawful operation by minors (Chapter No. 149)		185
Distribution of fines for unlawful operation by those under 18 (Chapter No. 149)		185
Drivers		
must be 15 for permit or license, extension (Chapter No. 120)		55
re-examination and interview	127	
Driver's license—See also Operators' and Chauffeurs' licenses		
altered (Chapter No. 70)		58
drunken, license revoked (Chapter No. 110)	98	
drunken, penalties (Chapter No. 109)	97	
drunken or drugged (Chapter No. 161)	99	
exemption of members of armed forces licensing (Chapter No. 137)		48
photograph requirement (Chapter No. 249)	342	
revocation (Chapter No. 110)	98	
surrender, 90-day residence (Chapter No. 211)		S.S.B. 86
suspension		
probationary license (Chapter No. 101)		132
removal of exceptions (Chapter No. 161)	99	
Financial responsibility proof, requirements (Chapter No. 236)		59
Forfeiture of bail, revocation of license (Chapter No. 125)	130	
Fuel users, temporary special permits (Chapter No. 200)	323	
Gross vehicle weight fee schedules	265	
Gross vehicle weight of trucks increase for speed limit (Chapter No. 119)		47
"In-class" driving training mandatory in secondary schools		197
Instruction permits		
for children (Chapter No. 120)		55
signing of application (Chapter No. 140)		109
Insurance coverage to insured car owners when other party to accident is uninsured	449	
Interstate-intrastate operations, when coincidental	50	
License or registration fee	420	
Manslaughter, punishment for	252	
Motor vehicle dealer's license fee raised to \$100.00	432	
Negligent driving defined		64
Non-resident migratory, when exempt	346	
Non-resident motorists forfeiture of bail, authority of board to suspend or revoke license		71
Operators' and chauffeurs' licenses—See also Drivers' license, above		
age limitation for permit or license, extension (Chapter No. 120)		55

Motor Vehicles—(Continued)	H. B.	S. B.
application		
surrender and return of licenses from other jurisdictions (Chapter No. 211)		S.S.B. 86
compulsory examinations every six years		194
exempting drivers of government-owned or leased vehicles (Chapter No. 137)		48
expiration, obsolete reference deleted		85
incompetent or negligent drivers re-examination	127	
minor's application, how signed (Chapter No. 140)		109
permitting unauthorized minor to drive	128	
probationary licenses to unsafe drivers (Chapter No. 101)		132
suspend or revoke license		71
suspension, revocation or cancellation (Chapter No. 125)	130	
courts to forward licenses and reports of conviction to board (Chapter No. 27)	112	
to contain photograph (Chapter No. 249)	342	
unlawful use (Chapter No. 70)		58
Operation to consent to chemical test to determine alcoholic content of blood	41	
Reckless and negligent driving		
penalty for		64
Registrar		
financial responsibility of owner of vehicle, how handled	197	
Registration		
fees	345	
enumeration	68	
license plates	68	
reflectORIZED background	217	
special permit for single movement	67	
motor buses		101
licenses		101
penalties for violations (Chapter No. 122)		81
receipt when misdemeanor for failure to carry (Chapter No. 139)		79
reciprocity board	50	
vehicles from out of state		
reciprocity provision	50	
ten day period	50	
Registration or license fee	420	
Regulating traffic on highways		
daylight speed limit	59	
driving while intoxicated, penalties (Chapter No. 109)	97	
(Chapter No. 110)	98	
(Chapter No. 161)	99	
intoxicating liquor or drugs, under influence of (Chapter No. 109)	97	
(Chapter No. 110)	98	
(Chapter No. 161)	99	
limitations as to weights, speeds, etc. (Chapter No. 243)	S.H.B. 401	
no-passing zones	49	
restrictions as to weights, speeds, etc. (Chapter No. 243)	S.H.B. 401	
safety inspections by highway patrol		161
speed restrictions	59	
speed restrictions on trucks, etc. (Chapter No. 119)		47
stopping, standing, parking or abandonment of	149	
yield-right-of-way signs	171	

Motor Vehicles—(Continued)	H. B.	S. B.
yield signs, specifications by state highway commis- sion	72	
Regulation of state-owned by governor (Chapter No. 157)	32	
Revocation of driver's license (Chapter No. 110)	98	
Safety inspections by highway patrol		161
Safety responsibility act deposit of security		
unclaimed deposits transferred to general fund	60	
owner to prove responsibility before registration	197	
proof of financial responsibility, when used (Chap- ter No. 236)		59
Sales tax on new passenger vehicles (Chapter No. 193)	258	
Sales tax on new trucks	433	
Satisfactions and discharges of chattel mortgages, conditional sales contracts, leases or other liens		104
Size and weight, penalties (Chapter No. 243)	S.H.B. 401	
Special fuel permits (Chapter No. 200)	323	
State-owned, governor's authority regarding (Chap- ter No. 157)	32	
State-owned, color of	31	
Surrender of drivers' licenses; 90-day residence (Chapter No. 211)		S.S.B. 86
Suspension of driver's license probationary license (Chapter No. 101)		132
removal of exceptions (Chapter No. 161)	99	
Taxation, trailers, permanently fixed, class four (Chapter No. 103)		163
Taxation and licenses, additional fees trailers and semitrailers	345	
trucks and tractors	345	
Taxation of motor fuels used by class A carrier		177
Tax on new passenger vehicles (Chapter No. 193)	258	
Traffic rules and regulations, no passing zones	49	
Transportation for hire on public highways	330	
Trucks, sales tax on new	433	
Trucks and tractor-trailers as grain dealers (Chapter No. 224)	176	
Uniform arrest act		65
Weight and size limitations, excessive loads, requiring renewal		80
Motor Vehicle Financial Security Act, Providing for		196
Motor Vehicle Safety Responsibility Act, Bond require- ment		108
Motor Vehicles, State-owned:		
Authority of governor, relating to (Chapter No. 157)	32	
Color of	31	
Municipal Courts:		
Creation of	80	
Judges		
qualifications	80	
salary	80	
Jurisdiction, additional	80	
Murray, U. S. Senator James E., Prayer for Recovery	H.R. 11	S.R. 21
National Defense Education Act:		
Appropriation	461	

SUBJECT INDEX

INDEX—57

	H. B.	S. B.
National Defense Student Loan Program:		
Appropriation	466	
National Guard:		
Appropriation for construction of training facilities	209	
State prison farm lands for training site		39
National Park, Establishment Recommended	H.J.M. 13	
Natural Resources, Department of	H.J.R. 2	
Commissioner of		
appointment	63	
duties	63	
State policy for conservation and development of nat- ural resources	63	
Natural Resources or Products:		
Unlawful to add fictitious or phantom charges, when	381	
Necrology: See In Memoriam		
Needy Blind:		
County share of participation in aid to (Chapter No. 8)	19	
Examination by optometrist; earned income (Chapter No. 4)	25	
Neglect:		
Abandonment and neglect of wife and child	191	
Negotiable Instruments:		
Bills of exchange, definition as to inland and foreign (Chapter No. 118)		33
New Industry:		
Classification for taxation purposes (Chapter No. 239)		137
Newspapers:		
Libelous matter, reasonable notice to correct (Chapter No. 159)	S.H.B. 53	
Non-Residents:		
Antelope and deer licenses	184	21
Antelope and deer licenses (Chapter No. 214)	S.S.H.S.S.B. 102	
Bear, special license (Chapter No. 15)	83	
Collection of income taxes from those working in Montana (Chapter No. 154)		193
Members of armed forces, when considered residents (Chapter No. 72)		S.S.B. 72
Taxation, Montana, interest and dividend withholding tax	286	
Uniform arrest act		65
Northern Montana College:		
Appropriation	440, 458	
Notary Public:		
Duty to keep record of acknowledgments	382	
Fees	382	
Fees (Chapter No. 116)	393	
Noxious Weeds—See Agriculture		

	H. B.	S. B.
Non-Support:		
Abandonment and neglect of wife and child	191	
Uniform reciprocal enforcement of support act (Chapter No. 208)	60	
Nutritional Beef Cattle Research Program:		
Appropriation	445	
Obligations:		
State, bond validating act, 1961 (Chapter No. 19)	233	
Obscene Literature:		
Congressional committee to deal with problem		S.J.M. 3
Distribution to minors prohibited		119
Office Hours:		
City and town employees, forty-hour weekly minimum (Chapter No. 33)	114	
County employees, forty-hour weekly minimum (Chapter No. 33)	114	
Public officers (Chapter No. 33)	114	
Office of Director of Budget—See Director of Budget		
Oil and Gas:		
Conservation		
hearings before commission, notice of (Chapter No. 213)		99
privilege and license tax (Chapter No. 47)	S.H.B. 216	
Conservation commission, assessments for expenses (Chapter No. 47)	S.H.B. 216	
Conservation fund, transfer to general fund	224	
Liquified petroleum gas meters (Chapter No. 220)		172
Notice of hearings by commission, method (Chapter No. 213)		99
Petroleum products		
standards for	S.H.B. 267	
standards for, determined by commissioner of agriculture (Chapter No. 174)	S.S.H.B. 212	
under commissioner of agriculture (Chapter No. 174)	S.S.H.B. 212	
Petroleum products license (Chapter No. 146)		173
Printing of regulations by land commission (Chapter No. 144)		155
Restoration of surface ground after "shot holes" (Chapter No. 175)	218	
Old Age Assistance:		
County share of participation in aid to (Chapter No. 5)	16	
Orphans Home—See Montana Children's Center		
Outdoor Advertising Act of the State of Montana, Adoption of	153	
Parks:		
County commissioners special powers to deed land for parks (Chapter No. 48)	219	
Parole—See Probation, Parole and Clemency		
Parole and Clemency:		
Parole authority and procedure	301	

SUBJECT INDEX

INDEX—59

	H. B.	S. B.
Peace Officers:		
Ex-officio	105	
Law enforcement academy, composition of advisory board (Chapter No. 28)	119	
Peddler Defined	305	
Per Diem, State Employees (Chapter No. 108)	215	
Permits:		
Agriculture exemption, gasoline license tax	136	
Fuel users temporary special permit (Chapter No. 200)	323	
Perpetuities:		
American common law rule against	331, 332, 333, 334	
Personal Property—See Property, Personal Property		
Persons:		
Transportation for hire on public highways	330	
Petroleum Products:		
Gasoline license tax, agricultural exemption permit	136	
Licenses, dealers (Chapter No. 146)		173
Retail dealers, license fees for meters (Chapter No. 220)		172
Standards for	S.H.B. 267	
Taxation		
exemption for counties, incorporated cities and towns and school districts	132	
Transferring enforcement of standards from public service commission to commissioner of agriculture (Chapter No. 174)	S.S.H.B. 212	
Phosphate Deposits:		
Permits or leases for removal (Chapter No. 207)		36
Physical Therapists Practice Act (Chapter No. 39)	94	
Physically Handicapped Children:		
Special education (Chapter No. 41)	34	
Physical Therapy:		
Definitions (Chapter No. 39)	94	
Practice of (Chapter No. 39)	94	
Physicians and Surgeons:		
Board of dental examiners, authority, fees (Chapter No. 34)	272	
Board of medical examiners, authority, fees, foreign doctors (Chapter No. 29)	152	
Planning and Zoning:		
City and town zoning commissions, powers and procedures	102	
County planning and zoning districts, powers and procedures	102	
Planning board, city, county, members, terms	386	
Tax levy on planning districts by including zoning districts	384	

	H. B.	S. B.
Pleadings, Criminal:		
Indictment or information		
may charge two or more offenses (Chapter No. 172)		S.S.H.B. 165
Plumbers:		
Board of plumbing examiners		
bond required of master plumbers (Chapter No. 185)		S.S.B. 159
member, ex-officio (Chapter No. 185)		S.S.B. 159
members per diem (Chapter No. 185)		S.S.B. 159
Licensing (Chapter No. 185)		S.S.B. 159
Licensing required, board membership (Chapter No. 185)		S.S.B. 159
Pocket Supplements 1961:		
Appropriation	438	
Policemen:		
Reserve policemen, salaries, how paid	143	
Rights protected under merged county municipalities (Chapter No. 190)	248	
Political Contributions Deductions:		
Income tax deductions	21	
Poultry Improvement Board:		
Abolished, transfer of duties (Chapter No. 59)	7	
Premium Advertising Stamp Redemption	23	
Premium Trading Stamps:		
Act	389	
Issuance unlawful	43	
Licenses	441, 443	
Regulation of (Chapter No. 153)	442	
Printing:		
State, requirements for union labels		206
Prisons and Prisoners:		
Board of prison commissioners, abolishment of		154
Habitual criminals		9
Parole authority and procedure	301	
Prisoners, commutation of sentence, upon good behavior	299	
Probation, Parole and Clemency		115
State prison		
board of state prison commissioners		
abolishment of		154
non-cultivated lands, use as national guard field training site		39
to determine use of industrial revolving fund	421, 422	
contract obligations, relating to	188	
farm, authority to sell portions	H.J.R. 13	
farm, Valiton, authority to sell (Chapter No. 226)	361	
highway signs, manufacture of	H.J.R. 9	
inmates not to carry or possess deadly weapons (Chapter No. 131)	239	
inmates not to hold hostages (Chapter No. 128)	236	
legislative furniture, repair of	H.R. 1	
Term, time of commencement (Chapter No. 130)	238	

	H. B.	S. B.
Probation Officers:		
Appointment, removal and salaries (Chapter No. 166)	S.H.B. 221	
Salary increase (Chapter No. 166)	S.H.B. 221	
Probation, Parole and Clemency	301	
Parole, procedure		115
Property:		
Acquisition by condemnation for public purposes (Chapter No. 234)	S.S.S.H.B. 134	
Acquisition for public use (Chapter No. 180)	S.S.H.B. 135	
Acquisition of property for purposes of mining (Chapter No. 216)		112
Alienation, suspension of power of	331, 332	
Classification for taxation to encourage new industry (Chapter No. 239)		137
Electric lines, property used in construction, generation, transmission, or distribution, when transferable	395	
Fee simple estate may be acquired, when (Chapter No. 234)	S.S.S.H.B. 134	
Interests in property		
destruction of, time for	333	
future interests, rule against perpetuities	331, 332, 333, 334	
future interests, title must vest, when	331, 332, 333, 334	
Owner must report for taxation purposes	158	
Personal property		
rule against perpetuities	331, 332, 333, 334	
subject to landlord's lien	396	
title must vest, when	331, 332, 333, 334	
Real property		
certain instruments erroneously executed and acknowledged, validated (Chapter No. 17)	161	
procurement of for public use (Chapter No. 180)	S.S.H.B. 135	
realty certificate act	270	
remission of penalty and interest, when	377	
rule against perpetuities	331, 332, 333, 334	
taxation exemptions for religious denominations	290	
title must vest, when	331, 332, 333, 334	
Sales of county property, validation (Chapter No. 111)	255	
Time of assessment	417	
Transfer, realty certificate act	270	
Transportation for hire on public highways	330	
Public Buildings:		
Architect's responsibility and bond requirements		189
Coal heated, when to use native bituminous coal (Chapter No. 150)		201
Public Contracts:		
Preference, Montana residents (Chapter No. 183)	363	
Preference to bona fide Montana residents (Chapter No. 43)	162	
Public Domain:		
Administration by U. S. district courts	H.J.M. 14	
Public Employees:		
Forty-hour minimum work week, city, county (Chapter No. 33)	114	

Public Employees—(Continued)	H. B.	S. B.
Forty-hour minimum work week, state (Chapter No. 2)	13	
Mileage, increase (Chapter No. 106)	181	
Per diem allowance in and out of state, increase (Chapter No. 108)	215	
Public Employees Retirement Act:		
Board of administration, lands and realty, purchase	344	
Fund, investment in land and real property	343	
Membership		
Montana army and air national guard, when eligible (Chapter No. 181)	172	
state employees not subject to federal retirement system eligible (Chapter No. 181)	172	
Public Employee's Retirement Fund:		
Investment in land and real property	343	
Public Employees Retirement System:		
Appropriation	461	
Montana army and air national guard as members (Chapter No. 181)	172	
Public Finance:		
Bond issue, state		
ballot classification	354	
voting requirements	353	
Bonds, school districts		
ballot classification, voting requirement	356	
Cities and towns		
special funds, invested in outstanding warrants (Chapter No. 31)	111	
County finance		
bonds, voting requirements	352	
Investment of surplus fund (Chapter No. 223)	S.H.B. 65	
Municipal bonds and indebtedness		
vote requirement	351	
School, federal aid continued		121
State finance, unified investment plan	343	
Public Funds:		
Deposit by county, city and town treasurers (Chapter No. 66)		32
Public Health and Safety:		
Board of health, sanitary standards for subdivisions (Chapter No. 95)		S.S.B. 41
Geophysical explorers must properly plug "shot holes" (Chapter No. 175)	218	
Sewage lagoons, adequate fencing or enclosing required (Chapter No. 203)	436	
Water, diversion or passage through city limits must be fenced (Chapter No. 63)	204	
Public Information:		
Dissemination of (Chapter No. 42)	5	
Public Officers and Employees:		
Authority to discharge certain employees	392	
Forty-hour week minimum (Chapter No. 2)	13	107
Group insurance plans or contracts authorized	174	

SUBJECT INDEX

INDEX—63

	H. B.	S. B.
Public Officers and Employees—(Continued)		
Merit system, service status set up for deputy sheriffs		87
Mileage increased (Chapter No. 106)	181	
Office hours (Chapter No. 2)	13	107
Per diem allowance for in-state and out-state travel (Chapter No. 108)	215	
Standards of conduct to avoid conflict of interests		149
State, county and city employees to come under provisions of unemployment compensation act		162
Terms of, certain	391	
Public Nuisance:		
Water wells, if not properly plugged	428	
Public Safety—See Public Health and Safety		
Public School Classroom Unit Assistance Fund:		
Appropriation	470	
Creation of (Chapter No. 245)	469	
Public School Permanent Fund:		
Investment in land and real property	343	
Public Service Commission:		
Rural electric and telephone cooperatives, rates and rate schedules, how filed	368	S.R. 17
Supervise issuance of securities by public utilities, when (Chapter No. 74)		186
Public Utilities:		
Costs of disconnecting power and telephone lines when structure moved, borne by owner, when		192
Facilities, relocation along highways, costs to state reduced		199
Issuance of securities by (Chapter No. 74)		186
Relocation of facilities in connection with highway work	409	
Public Welfare:		
Appropriation for matching program for aged	451	
Appropriations for state and county departments	450	
County share in aid to permanently and totally disabled (Chapter No. 6)	17	
County share in old age assistance (Chapter No. 5)	16	
County share of participation in aid to dependent children (Chapter No. 7)	18	
County share of participation in aid to needy blind (Chapter No. 8)	19	
Dependent children grants, county share of participation reimbursement (Chapter No. 7)	18	
Needy blind		
eligibility (Chapter No. 4)	25	
examination by optometrist (Chapter No. 4)	25	
grants, county share of participation reimbursement (Chapter No. 8)	19	
Old age assistance grants, county share reimbursement (Chapter No. 5)	16	
Permanently and totally disabled grants, county share of participation reimbursement (Chapter No. 6)	17	
Silicosis payments		
eligibility requirements (Chapter No. 3)	14	
transferred from state department of public welfare to industrial accident board (Chapter No. 225)	S.H.B. 312	

	H. B.	S. B.
Public Welfare—See also Unemployment Compensation		
Public Works:		
Added classification, bona fide residents of state (Chapter No. 43)	162	
Architects fees (Chapter No. 167)	231	
Bidding requirements (Chapter No. 142)		114
Preference to bona fide residents of Montana (Chapter No. 183)	363	
Punishment:		
Assaults in second degree, increased (Chapter No. 129)	237	
Purchases, State:		
Material supplies or services not to be purchased from corporations exempt from corporation license tax	289	
Purchasing Agent, State:		
Supervision of (Chapter No. 80)		2
Race Tracks:		
Yearly use limited to 30 days	365	
Racing Associations:		
Licensing of (Chapter No. 57)	S.H.B. 295	
Railroad Commission		
Appropriation	461	
Railroads:		
Board of railroad commissioners, motor carriers, au- thority to regulate (Chapter No. 201)	388	
Discontinuance of Milwaukee, opposed	H.J.M. 16	
Equipment, track cars must have side curtains	97	
Merger opposed	H.J.M. 4, H.J.M.17	S.R. 13
Railway service for first class mail		S.J.M. 2
Rape and Sex Crimes:		
Registration of sex offenders		195
Real Estate Brokers and Salesmen:		
Examination, licensing etc.	203	
Real Estate Mortgages:		
Investments in by insurance companies (Chapter No. 20)	234	
Real Property:		
Certain instruments, erroneously executed and ac- knowledgeed, validated (Chapter No. 17)	161	
Remission of penalty and interest, when	377	
Realty Certificate Act:		
Real property transfers	270	
Refunds:		
Gasoline tax, not paid before application for refund	214	
Regulatory Boards, Other:		
Appropriation	463	

SUBJECT INDEX

INDEX—65

	H. B.	S. B.
Replacement Volume 4, R.C.M. 1947:		
Appropriation	439	
Report of Pardons, Paroles, Remission of Fines and Commutations of Sentences		p. 71
Reports—See also Supreme Court, Reports		
Biennial, publication of (Chapter No. 80)		2
Unemployment compensation commission, governor (Chapter No. 156)	27	
Representatives, House of—See Legislature		
Residence Halls at State Educational Institutions:		
Self-financing facilities	29	
Resolutions, House:		
HR 1. Repair of House furniture at prison		Index page
HR 2. Study of teen-age marriage and divorce		Index page
HR 3. Denying recognition to any fraternity or sorority limiting membership on basis of race, creed or color		Index page
HR 4. Asking discipline of Liquor Board em- ployees selling to unlicensed persons		Index page
HR 5. Committee to improve school foundation program		Index page
HR 6. Asking \$60,000 for study by Budget Di- rector of means of savings,		Index page
HR 7. Board of Examiners to trans funds in veterans' compensation fund		Index page
HR 8. Treasurer to transfer interest from vet- erans' compensation funds,		Index page
HR 9. Appointment of Montana Territorial Centennial		Index page
HR 10. Investigation of lavish expenditures of Liquor Control Board		Index page
HR 11. For recovery of Senator James E. Mur- ray		Index page
Resolutions, House Joint:		
HJR 1. Study of state fiscal procedures by Legislative Council		Index page
HJR 2. Study of Natural Resources Department by Legislative Council		Index page
HJR 3. Requesting ratification of Constitution- al amendment for vote in national elections by resident of District of Columbia		Index page
HJR 4. Study of reorganization of state gov- ernment by Legislative Council		Index page
HJR 5. Highway Department to mark and re- place old and narrow bridges		Index page
HJR 6. Ratifying Constitutional amendment al- lowing residents of District of Co- lumbia to vote in national elections		Index page
HJR 7. Highway Commission to establish road- side parks		Index page

Resolutions, House Joint—(Continued)

H. B.

S. B.

HJR 8.	Study of reorganization of state government by Legislative Council	Index page
HJR 9.	Manufacture of highway signs at prison	Index page
HJR 10.	Asking repeal of Federal income, estate and gift taxes and prohibit Federal government from engaging in "any business"	Index page
HJR 11.	Study of juvenile court law by Legislative Council	Index page
HJR 12.	Discrimination against workers over 40 years old	Index page
HJR 13.	Sale of State Prison Farm	Index page
HJR 14.	Requesting adjustment of budget of Veterans' Welfare Commission	Index page

Resolutions, Senate Joint:

SJR 1.	Authorizing offset printing of measures	Index page
SJR 2.	Study of curbs on quick marriages by Legislative Council	Index page
SJR 3.	Study of fees collected by state agencies by Legislative Council	Index page
SJR 4.	Combining Printing, Engrossing and Enrolling committees into Bills Committee	Index page
SJR 5.	Hiring legislative guide for 37th Assembly	Index page
SJR 6.	Study of forest lands and oil and gas leases by Legislative Council	Index page
SJR 7.	Study of air and water pollution by Legislative Council	Index page
SJR 8.	Amendment of Joint Rules relating to form of bills	Index page
SJR 9.	Board of Equalization to prepare master sheet of proposed amendments during 1963 session	Index page

Retired Persons:

Employment of by political subdivisions of state	339
--	-----

Retirement:

Game wardens retirement system	148
Judges of district courts and supreme court justices	196

Revised Codes of Montana 1947:

Appropriation, replacement volume 4	439
Appropriation, pocket supplements 1961	438

Rodent Control:

Annual appropriation section repealed	222
---	-----

Rules	pp. { 2-17, 36, 38, 52, 319, 464, 468, 633, 682.
-------------	--

Rules of Civil Procedure:

Adoption of (Chapter No. 13)	86
------------------------------------	----

SUBJECT INDEX

INDEX—67

	H. B.	S. B.
Rules of Pleadings:		
Revision of laws in civil cases (Chapter No. 13)	86	
Rural Electric and Telephone Cooperatives:		
Rate and rate schedules, how filed	368	
Safety Responsibility Act:		
Disposition of unclaimed security	60	
Salaries:		
Adjutant general and assistants	280	
City officials, to be based on last federal census (Chapter No. 179)	113	
Controller, fixed by governor (Chapter No. 98)		5
County officers	163	
County officers (Chapter No. 195)	S.H.B. 269	
clerks of district court and auditors to be included in previous schedule		191
shall apply for full term after fixed in September of election year		190
Court reporters, increased (Chapter No. 22)		28
Elected officials and administrative heads	387	
Executive officer, state board of health, fixed by leg- islature (Chapter No. 212)		96
Firemen, minimum	287	
Governor to fix, when	6	
Grass conservation commission secretary (Chapter No. 241)	118	
Hail insurance commissioners and employees (Chapter No. 165)	194	
Highway commission personnel paid out of state highway fund	84	
How fixed	6	
Industrial accident board member, appointed by gover- nor (Chapter No. 148)		178
Industrial accident board, appointed member	296	
Liquor control board officers and employees	277	
Patrolmen, increased	144	
Per diem, state employees (Chapter No. 108)	215	
Policemen, on reserve list, how paid	143	
Police officers, minimum	243	
State officers		
controller, fixed by governor (Chapter No. 98)		5
State officers, increased (Chapter No. 187)		205
Sales Tax:		
Motor vehicles, new passenger (Chapter No. 193)	258	
Satisfaction:		
Satisfactions and discharges of chattel mortgages, conditional sales contracts, leases or other liens on motor vehicles		104
School for the Deaf and Blind:		
Appropriation	456	
School Lunch Program:		
Appropriation	461	
Schools—See also Colleges and Universities:		
Age limits for attendance	424	160
ANB increase, when allowed for budget purposes	75	

Schools—(Continued)	H. B.	S. B.
Apportionment, transfer in event of pupil's attendance outside county of residence	213	
Appropriation	373	
Architects, maximum rates (Chapter No. 167)	231	
Attendance		
age raised to 18		160
compulsory	424	
elementary school outside district (Chapter No. 228)		89
Indian reservations, when (Chapter No. 35)	304	
pupils in another district, payment for	178	
pupils in high schools in county outside residence	213	106
pupils in out-of-state high schools, tuition		152
pupils outside county of residence	213	106
Attorney general		
ex officio member of state board of education	22	
Board of education to prescribe general policy and courses of study	74	
Budget basis, foundation program (Chapter No. 250)		207
Budgets, final		
approval date	58	
Budgets, preliminary		
completion date	58	
Budget system	173	
emergency budgets	160	
federal aid extended		121
joint school districts (Chapter No. 151)	358	
Census		
"residing" defined (Chapter No. 86)		88
Cleaning outhouses (Chapter No. 105)	177	
Colleges and universities—See Colleges and Universities		
Consolidation of school districts by voluntary incentive plan	321	
County superintendent of schools		
mileage set at 9¢ a mile		75
powers defined	349	
proposed amendment to eliminate election by people	154	
publication of annual financial statement (Chapter No. 23)	12	
repealing section relating to statement of teaching positions to state treasurer (Chapter No. 75)		49
Courses of study, how prescribed	74	
Election expenses paid from general fund	78	
Elementary pupil living in one district and attending school in another district, transfer of funds	178	
Elementary school attendance, determination of residence (Chapter No. 228)		89
Elementary school budget act budgeting power, restrictions removed (Chapter No. 247)		95
Elementary school foundation program	372	
Federal aid extended		121
Federal aid opposed	H.J.M. 8	
Finance	173	
common school support		118
deficit from preceding year	173	
foundation program for elementary and secondary schools	372	
limit 55% districts' funds from foundation program		134
permanent school fund		
certain sections repealed (Chapter No. 184)		S.S.B. 12
school equalization fund, distribution	374	
Financial distribution, equalization of		110

Schools—(Continued)	H. B.	S. B.
Foundation program (Chapter No. 104)	28	
budget basis (Chapter No. 250)		207
committee by governor to recommend improve- ment	H.R. 5	
definitions amended	75	
districts funds, limit 55%		134
elementary school	372	
eligible for state, when (Chapter No. 230)	103	
Indian tuition, removal federal aid (Chapter No. 60) support of	11	110
Funds, how accounted for (Chapter No. 62)	179	
Funds, surplus investment of (Chapter No. 223)	S.H.B. 65	
General policies and courses of study to be prescribed by board of education	74	
High school budget act budgeting power, restrictions removed (Chapter No. 246)		94
High school districts bonds, issuance of (Chapter No. 169)	324	
special levy election day, how called (Chapter No. 163)	142	
High schools—See also Schools, attendance above		
attendance, clarifying place of		106
attendance outside county of residence	213	
budget, maximum determination (Chapter No. 25) ..	51	
budgets, emergency	160	
foundation program, when eligible for state (Chap- ter No. 230)		93
levies, special, restrictions	103	
standards of promotion and accreditation prescribed by state board of education	74	
transportation of pupils	55	
tuition of pupils in out-of-state schools		152
Holding of teacher's institutes, sections repealed (Chapter No. 26)	108	
Holidays Veteran's day excluded		61
Hours and days for different grades	S.H.B. 297	
Indian reservations enforcement of school laws (Chapter No. 35)	304	
Indian students, number to attend University (Chapter No. 87)		157
Isolated high schools approval (Chapter No. 230)		93
Janitors duties regarding privies (Chapter No. 105)	177	
Lunch program, appropriation	461	
Mentally and physically handicapped children, special education (Chapter No. 41)	34	
Mileage of 9¢ mile, for county superintendents		75
Permanent public school fund confirm vesting of title in state of farm mortgage lands (Chapter No. 221)		204
Printing, school laws by superintendent (Chapter No. 64)	208	
Privies, maintenance of (Chapter No. 105)	177	
Public contracts, preference Montana residents (Chap- ter No. 43)	162	
Public school appropriation	373	
Public school classroom unit assistance fund (Chapter No. 245)	469	
Public school equalization fund, appropriation	437	
Reorganization of elementary and secondary schools	220	

Schools—(Continued)	H. B.	S. B.
“Residing” defined (Chapter No. 86)		88
Retired persons		
employment of by political subdivision of state	339	
Safety patrols, relating to		37
School buses		
drivers’ requirements on receiving and discharging		
children (Chapter No. 100)		54
drivers, standards and regulations for (Chapter No.		
68)		51
receiving and discharging children (Chapter No.		
100)		54
standards and regulations for (Chapter No. 68)		51
School day (Chapter No. 114)	S.H.B. 297	
School districts, architects, maximum rates to be paid		
for services (Chapter No. 167)	231	
School districts		
bonds, voting requirement	356	
boundaries	349	
budget, maximum determination (Chapter No. 25)	51	
budgets, emergency	160	
budgets, high schools (Chapter No. 25)	51	
budgets, joint (Chapter No. 151)	358	
budgets, removal of federal funds in setting (Chap-		
ter No. 60)	11	
changing of boundaries, restrictions (Chapter No.		
56)	283	
cleaning outhouses (Chapter No. 105)	177	
consolidation or changing boundaries, limitations		
(Chapter No. 56)	283	
consolidation, voluntary incentive plan	321	
creation of, limitations (Chapter No. 56)	283	
elementary schools, allocation of federal funds		
(Chapter No. 247)		95
federal funds in lieu of taxes for lunch fund (Chap-		
ter No. 209)		62
financial statements, publication (Chapter No. 23)	12	
financing special education for handicapped (Chap-		
ter No. 41)	34	
formation of new districts	349	
foundation program, schools operating 186-190 days		
(Chapter No. 104)	28	
foundation programs (Chapter No. 104)	28	
gasoline tax exemption	39	
grant of authority by Indian tribal councils (Chap-		
ter No. 35)	304	
high school district bonds, amounts (Chapter No.		
169)	324	
high schools, allocation of federal funds (Chapter		
No. 246)		94
holding of teachers’ institutes, repealed (Chapter		
No. 26)	108	
hours and days for different grades	S.H.B. 297	
increase in foundation program schedules (Chapter		
No. 250)		207
investment of bond sale money not immediately		
needed (Chapter No. 223)	S.H.B. 65	
joint districts, uniform system of budgeting (Chap-		
ter No. 151)	358	
minimum age of bus drivers (Chapter No. 68)		51
physically and mentally handicapped (Chapter No.		
41)	34	
public school classroom unit assistance fund (Chap-		
ter No. 245)	469	

SUBJECT INDEX

INDEX—71

Schools—(Continued)	H. B.	S. B.
reorganization of	220	
residence, determination of for transportation (Chapter No. 215)		105
residence of pupil, when in dispute (Chapter No. 228)		89
“residing” for school census purposes (Chapter No. 86)		88
special levy vote, high school board (Chapter No. 163)	142	
transportation budget, contingency item (Chapter No. 126)	159	
transportation of pupils—see also Schools, Trans- portation of pupils		
budgets, levies	55	
transportation reimbursement from public school equalization fund (Chapter No. 242)	341	
trustees, relieved of duties to indigent children (Chapter No. 58)	404	
School employees		
employer's contribution for, under social security act		24
School laws		
printing and furnishing of (Chapter No. 64)	208	
School lunches		
federal reimbursement of money in lieu of taxes (Chapter No. 209)		62
School trustees		
duties regarding privies (Chapter No. 105)	177	
duty to provide for indigent children deleted	403	
not required to furnish clothing and medical care to pauper children (Chapter No. 58)	404	
out-of-state, election of		126
School year (Chapter No. 114)	S.H.B. 297	
Secondary school foundation program	372	
Secondary schools, driver education and training made mandatory		197
Social security contributions of employees		24
State public school equalization fund, disbursements (Chapter No. 60)	11	
State uniform system of free public schools (Chapter No. 104)	28	
definitions amended	75	
disbursements		131
foundation program funds limited to 55%		134
state public schools equalization fund		118
Superintendent of public instruction		
ex officio member of state board of education	22	
isolated schools approved by (Chapter No. 230)		93
qualification, proposed constitutional amendment		165
reports relating to disbursements from state public school equalization fund (Chapter No. 60)	11	
school laws, duties regarding (Chapter No. 64)	208	
secretary of board of education, when	22	
televised instruction experimentation	200	
Taxes, proposal to let states retain 10% of federal taxes for education	H.J.M. 5	
Tax exemption on diesel fuel, etc.	132	
Tax exemption on gasoline	136, 133	
Teachers		
certificates, requirements for (Chapter No. 83)		23
certificates, suspension and revocation (Chapter No. 171)	38	

Schools—(Continued)	H. B.	S. B.
examinations (Chapter No. 83)		23
foreign, permit to teach in elementary schools (Chapter No. 83)		23
health certificates to be furnished	418	
re-election, change in automatic date for	419	
re-election of	183	
retirement age	183	
retirement system, service credit allowable and compensation		147
sick-leave benefit		76
Teacher's certificates		
classes	66	
registered by November 1 (Chapter No. 90)	170	
requirements	66	
Teacher's institutes and summer schools, sections re- pealed (Chapter No. 26)	108	
Teachers retirement system		
service credit allowable and compensation		147
Textbooks, levy of taxes for repealed (Chapter No. 79)		50
Transportation of pupils		
copy of transportation budget to be sent to superin- tendent of schools (Chapter No. 126)	159	
providing for contingency item (Chapter No. 126) ..	159	
reimbursement for (Chapter No. 242)	341	
residence, how determined (Chapter No. 215)		105
Secretary of State:		
Appropriations	444, 461	
Fees increased (Chapter No. 116)	393	
(Chapter No. 117)	394	
Legislative pre-session caucuses, to arrange		1
Securities:		
Creating securities act of Montana (Chapter No. 251)		20
Issuance by public utilities (Chapter No. 74)		186
Office of investment commissioner created (Chapter No. 251)		20
Supervision of securities by public utilities furnish- ing electric or gas service (Chapter No. 74)		186
Securities Act of Montana:		
Creation of (Chapter 251)		20
Seeds:		
Agricultural, specifications (Chapter No. 168)	247	
Grass seed mixtures, regulations (Chapter No. 168)	247	
Must be tagged properly (Chapter No. 196)	273	
Prohibition of sale of certain seeds (Chapter No. 196)	273	
Regulation of garden seeds (Chapter No. 196)	273	
Senile Persons:		
Custody, Montana state sanitarium (Chapter No. 94)	S.H.B. 359	
Sentences:		
Commutation, upon good behavior	299	
Execution suspended when		198
Service of Process:		
Investment commissioner served when (Chapter No. 251)		20

SUBJECT INDEX

INDEX—73

	H. B.	S. B.
Sewage Lagoons:		
Adequate fencing (Chapter No. 203)	436	
Protection from drowning in (Chapter No. 203)	436	
Sex Offenders, Registration of		195
Sheriffs:		
County superintendent of schools mileage set at 9¢ per mile		75
Deputies, service status provided		87
Salary increase (Chapter No. 195)	S.H.B. 269	
Sex offenders to register with		195
Shorthand Reporters:		
Certification of	230	
Court reporters, salary increase (Chapter No. 22)		28
Silicosis:		
Increased payments to recipients for (Chapter No. 3)	14	
Transferred to industrial accident board (Chapter No. 225)	S.H.B. 312	
Silicosis Benefit Payments:		
Transferred from state department of public welfare to industrial accident board (Chapter No. 225)	S.H.B. 312	
Silicotics:		
Aid to, eligibility requirements (Chapter No. 3)	14	
Slaughterhouses:		
Excluded from hide licensing requirements when (Chapter No. 44)	S.H.B. 175	
Hides, marking of (Chapter No. 37)	189	
Meat, inspection (Chapter No. 37)	189	
Social Security Act:		
School employees' eligibility		24
Soil Conservation:		
Names changed to soil and water conservation dis- tricts (Chapter No. 73)		151
Soil Conservation Commission:		
Appropriation	457	
Soil Conservation Districts:		
Name changed to soil and water conservation dis- tricts (Chapter No. 73)		151
Soldiers and Sailors:		
Custody, Montana state sanitarium (Chapter No. 94)	S.H.B. 359	
Fish and game licenses, residence requirements (Chapter No. 72)		S.S.B. 72
Veterans bonus law, extension of time for filing ap- plications for Korean War benefit		176
Veterans compensation fund, transfer	223	
Veterans, World war I, pension	H.J.M. 18	
Special Education Division for Exceptional Child Ser- vices:		
Appropriation	461	

	H. B.	S. B.
State:		
Public contracts		
bidding requirements (Chapter No. 142)		114
coal, preference Montana(Chapter No. 150)		201
preference, 2% for Montanans (Chapter No. 183)	363	
preference Montana residents employment (Chapter No. 43)	162	
State Auditor:		
Appropriation	461	
State Board of Education:		
Board of regents, ex-officio	22	
Composition and organization	22	
Division of vocational rehabilitation, creation of (Chapter No. 21)	244	
General control and supervision over certain custodial institutions	22	
Meetings	22	
Members		
compensation	22	
oath	22	
removal	22	
term	22	
State public school equalization fund disbursements (Chapter No. 60)	11	
Supervision of public school, general policies and courses of study prescribed by	74	
State Board of Equalization:		
Appropriation		
gasoline drawback fund	468	
income tax withholding fund	468	
Members, relating to	93	
Production of master sheet 1963 proposed amendments		S.J.R. 9
State Board of Examiners:		
Appropriation	444, 457	
The State Board of Food Distributors:		
Abolishing and transferring powers and duties	3	
State Board of Hail Insurance—See Hail Insurance, State		
State Board of Health:		
Embalmers and funeral directors, qualifications	70	
Executive officer's salary fixed by legislature (Chapter No. 212)		96
Licenses issued by, to food and drink manufacturers and purveyors	288	
Sewage disposal facilities approval (Chapter No. 95)		S.S.B. 41
Water facilities approval (Chapter No. 95)		S.S.B. 41
State Budget Act:		
Dates for distribution and return of forms (Chapter No. 95)	207	
State Building Commission:		
Creation of	400	
State Buildings—See Also Architects		
Planning, construction, alteration and repair of	400	

SUBJECT INDEX

INDEX—75

	H. B.	S. B.
State Childrens Center:		
Appropriation	456	
Increase in amounts paid (Chapter No. 175)	410	
Tract of land, authorized sold (Chapter No. 84)		30
State Controller:		
Appointed by governor (Chapter No. 98)		5
Appropriation	454	
University of Montana, not to audit (Chapter No. 81)		4
State Employees:		
Forty-hour minimum work week (Chapter No. 2)	13	
Forty-hour work week for salaried employees (Chapter No. 2)	13	
Mileage increase (Chapter No. 106)	181	
Per diem allowance increase (Chapter No. 108)	215	
Under provisions of unemployment compensation act		162
State Engineer:		
Appointed by commissioner of natural resources	63	
Appropriation	457	
Carey land act board properties	10	
State Entomologist:		
Appropriation	457	
State Examiner:		
Annual audit		
University of Montana (Chapter No. 81)		4
Appropriation	457	
State Finance:		
Investments, unified investment plan	343	
Lands and realty, purchase authorized	344	
Public Finance (Chapter No. 223)	S.H.B. 65	
State Fire Marshal:		
Appointment by governor	311	
State Forester:		
Appropriation	444, 457	
State Government:		
Continuity in emergency		8
Fiscal study by legislative council	H.J.R. 1	
Good business climate	H.J.M. 1, H.J.M. 3	
No discrimination against those between 40 and 60	H.J.R. 12	
Reorganization plan by legislative council	H.J.R. 4	
Support 1961, 1962 (Chapter No. 50)	316	
State Grass Conservation Commission:		
Increase in fees against state grazing districts (Chapter No. 241)	118	
State Highway Commission—See Also Highways, Bridges and Ferries		
Certificate of registration out-of-state vehicles	50	
Commissioners' duty regarding seeding of perennial grass seed covers (Chapter No. 222)	S.H.B. 124	
Distribution of construction funds	260	
Highway signs, manufactured at prison	H.J.R. 9	
Irrigable land acquired for highway purposes (Chapter No. 182)	182	

State Highway Commission—(Continued)	H. B.	S. B.
Lands and realty, purchase authorized	344	
Leasing or renting of excess real or personal property	408	
Maintenance division of Montana highway department to be approved by	85	
No-passing zones on highways	49	
Personnel, employment and designation of	84	
Property, excess personal or real, rental or lease of	408	
Public utilities, relocation of facilities	409	
School safety patrols, duty regarding		37
Semiannual report of money available for construction of roads (Chapter No. 124)		S.S.B. 130
Trash containers, duty to mark	122	
Yield signs: color, shape, size, legend, to specify	72	
"State Highway" Defined	95	
State Hospital:		
Appropriation	444, 456	
Appropriation from special alcoholism fund	228	
State Industrial School:		
Appropriation	446, 456	
Control and supervision vested in state board of edu- cation	22	
State Institutions:		
Funds, interest and income, use of (Chapter No. 89)	117	
State Land Commission:		
Oil and gas regulations, printing of (Chapter No. 144)		155
Permits or leases for removal of phosphate deposits (Chapter No. 207)		36
State Lands:		
Appraisal of	33	
Authority to sell tract in Madison county (Chapter No. 84)		30
Authority to sell Valiton ranch, Powell county (Chap- ter No. 226)	361	
Board of Land Commissioners leases or permits for phosphate deposits (Chapter No. 207)		36
Commissioner of state lands and investments		
appointment		13
chief field agent, appointment		13
removal		13
employees appointment		13
reimbursement to county for tax revenue loss from state-owned lands		38
Farm loans mortgages, amended (Chapter No. 184)		S.S.B. 12
Grants by federal government preserved and held in trust		11
Grazing and agriculture, leasing of	33	
Improvements on	33	
sale of		11
Inclusion in weed control law (Chapter No. 11)	109	
Investments of		13
Lessee's right to purchase, defined		31
Madison county tract of land authorized sold (Chap- ter No. 84)		30
Mortgages, farm loans (Chapter No. 184)		S.S.B. 12
Oil and gas leases		
mortgaged lands (Chapter No. 184)		S.S.B. 12

SUBJECT INDEX

INDEX—77

State Lands—(Continued)	H. B.	S. B.
rule-making power (Chapter No. 144)		155
Phosphate deposits, leasing of (Chapter No. 207)		36
Rental formula	33	
Sale of		
declaration of policy to be included		11
mineral reservations (Chapter No. 184)		S.S.B. 12
to lessee		31
State board of land commissioners		
Carey land act board transfer	10	
authorized to sell certain tract of land in		
Madison county (Chapter No. 84)		30
lands and realty, purchase authorized	344	
rule-making power (Chapter No. 144)		155, 13
Trespass of livestock on, defined		10
State Library, Established (Chapter No. 55)	S.H.B. 82	
State Library Extension Commission:		
Creation of (Chapter No. 55)	S.H.B. 82	
Employment of employees (Chapter No. 55)	S.H.B. 82	
Membership (Chapter No. 55)	S.H.B. 82	
State Liquor Control Board—See Also Alcoholic Beverages		
Appropriation	461	
State Mobile Homes Park Board		
Creation of	307	
State of Montana:		
Claims against, cut-off date for fiscal year (Chapter No. 127)	206	
Contracts		
coal, preference Montana (Chapter No. 150)		201
minimum raised to \$1000 (Chapter No. 142)		114
preference Montanans 2% (Chapter No. 43)	162	
State budget act, dates for distribution and return of forms (Chapter No. 91)	207	
State Officers and Employees:		
Per diem allowance (Chapter No. 108)	215	
State Officers, Boards and Departments:		
Authority to discharge certain employees	392	
Bidding requirements for public contracts (Chapter No. 142)		114
(Chapter No. 43)	162	
Board of examiners		
appropriation	444, 457	
legislative plant, repair	465	
duties of (Chapter No. 80)		2
duties removed as to supervision and control of state expenditures (Chapter No. 80)		2
duties to approve liquidated claims removed (Chapter No. 97)		3
to transfer veterans compensation fund to general fund	H.R. 7	
Board of health executive officer salary, fixing by legislative assembly (Chapter No. 212)		96
Controller, appointment by governor (Chapter No. 98)		5
Cut-off date for submitting claim for fiscal year (Chapter No. 127)	206	

State Officers, Boards and Departments—(Continued)	H. B.	S. B.
Distribution and return of budget blanks, time for (Chapter No. 91)	207	
Fiscal year expenditures, authority (Chapter No. 82)		6
Group insurance contracts or plans for officers and employees	174	
Hail insurance board, per diem, mileage (Chapter No. 165)	194	
Industrial accident board, appointed member salary increase (Chapter No. 148)		178
Montana army and air national guard as members PERS (Chapter No. 181)	172	
Permanent fund investment, interest and income (Chapter No. 89)	117	
Preference to Montana residents in public works em- ployment (Chapter No. 183)	363	
(Chapter No. 43)	162	
Public service commission rate regulation (Chapter No. 201)	388	
Purchasing of supplies (Chapter No. 80)		2
Records, examination of (Chapter No. 80)		2
Regulation of state-owned vehicles by governor (Chapter No. 157)	32	
Reports of state departments, printing and distribu- tion (Chapter No. 80)		2
Restoration of old governor's mansion (Chapter No. 141)		113
Retired persons, employment of by political subdi- visions of state	339	
Secretary of state		
fees, increase in corporation (Chapter No. 117)	394	
fees, increase in office (Chapter No. 116)	393	
State controller to make pre-audit of liquidated claims (Chapter No. 97)		3
State examiner, audit of institutions (Chapter No. 81)		4
State purchasing agent, supervision of (Chapter No. 80)		2
Supreme Court reports, publication of (Chapter No. 14)	123	
Terms of	391	
Travel, supervision of (Chapter No. 80)		2
Use of native Montana coal (Chapter No. 150)		201
Veterans and pioneers building, use by world war I veterans (Chapter No. 54)	81	
State Orphan's Home—See also State Children's Home		
Increase in amounts paid by counties and parents (Chapter No. 170)	410	
State Parks		
Appropriation	454	
State PBX Division		
Appropriation	444, 454	
State Planning Board		
Appropriation	459	
Membership changed	63	
State Policy		
Business Climate	H.J.M. 1, H.J.M. 3	
No discrimination against those between 40 and 60 ..	H.J.R. 12	

	H. B.	S. B.
State Prison		
Appropriation	456	
hall and security fence	464	
Farm, authorizing land board to sell portion	H.J.R. 13	
Inmates		
felonies committed by (Chapter No. 130)	238	
holding of hostages by (Chapter No. 128)	236	
possession of weapons by (Chapter No. 131)	239	
Legislative furniture, repair	H.R. 1	S.R. 10
Make highway signs	H.J.R. 9	
State Property		
Insurance premiums	460	
State Public Building Insurance Fund	360	
Supervisor	360	
State Purchasing Department and Agent		
Bids receive Montana preference, when		202
Coal, Montana preference (Chapter No. 150)		201
Minimum \$1000 (Chapter No. 142)		114
Two percent, preference, Montana residents (Chapter No. 143)	162	
Material supplies or services not to be purchased from corporations exempt from corporation license tax	289	
Supervision of (Chapter No. 180)		2
State School for Deaf and Blind:		
Control and supervision vested in state board of education	22	
State Soil Conservation Committee:		
Abolished	63	
State Soldiers Home:		
Appropriation	456	
State Training School and Hospital:		
Appropriation	456	
Control and supervision vested in state board of education	22	
State Travel:		
Supervision of (Chapter No. 80)		2
State Treasurer:		
Appropriation	444, 461	
County superintendent of schools not to make statement of teaching positions (Chapter No. 75)		49
Distribution of proceeds of tax funds	138	
Duties, wheat and marketing research revolving fund	44	
Fines for unlawful operation of motor vehicles by those under 18, how distributed (Chapter No. 149)		185
Hail insurance, disposition of funds	275	
License taxes, distribution and use of (Chapter No. 42)	5	
Unsatisfied judgement fund established	157	
Veterans' compensation bond retirement and sinking funds, transfer of interest	H.R. 8	
senate asks H.R. 8 be disregarded		S.R. 19

	H. B.	S. B.
State Vocational School for Girls:		
Appropriation	446, 456	
Control and supervision vested in state board of education	22	
State Water Conservation Board:		
Abolished, duties transferred	63	
Appropriation	459	
Stay of Proceedings:		
Cases in which not allowed		168
Student Travel Refunds:		
Appropriation	458	
Sugar Act:		
Extension of	H.J.M. 6	
Superintendent of Public Instruction:		
Appropriation	461	
Printing of school laws (Chapter No. 64)	208	
Qualifications proposed constitutional amendment		165
Supervised Correspondence School:		
Appropriation	461	
Support:		
Government, 1961-1962 (Chapter No. 50)	316	
Uniform reciprocal enforcement of support act amendments (Chapter No. 208)		60
Supreme Court:		
Appropriation	444, 461	
Attorneys, admission to practice, power to prescribe rules and regulations	357	
Fees		
disposition	195	
increased	195	
Justices		
departmentalization for election purposes (Chapter No. 229)		90
disqualification (Chapter No. 218)		167
retirement	196	
nomination and election of, to designate office sought (Chapter No. 229)		90
salaries, increased (Chapter No. 187)		205
Reports		
contract for and supervision of publication (Chapter No. 14)	123	
Surplus Donable Property Division:		
Appropriation	461	
Surplus Foods:		
For adult correctional institutions	H.J.M. 15	
Taxation:		
Additional four-mill tax levy for counties (Chapter No. 205)		15
Assessment book completion date	58	
Assessment date January 1	58	
Assessment of property		
date changed		150

SUBJECT INDEX

INDEX—81

Taxation—(Continued)	H. B.	S. B.
implemented and expedited by property owners report	158	
merchants and manufacturers inventory act to govern	346	
time of	417	
Assessment, payment, collection of corporation license tax (Chapter No. 102)		140
Board of equalization		
members of, relating to	93	
reference to, deleted from constitution	92	
Certificate of payment on motorboats (Chapter No. 219)		169
Cigarette tax, when deductible	326	
Cities and towns		
fire department disability and pension fund	232	
planning districts	384	
Classification of new industry (Chapter No. 239)		137
Classification of property		
class 5, land and improvements of cooperative association or non-profit corporation		187
livestock in class two	62	
poultry in class two	62	
trailers, permanently fixed, class four (Chapter No. 103)		163
unprocessed products in class two	62	
Coal mining license tax	285	
Coal mining, lignite	284	
Co-operatives corporation license tax (Chapter No. No. 155)	131	
Corporation gross income, defined (Chapter No. 235) ..	348	
Corporation license income tax		
collection of (Chapter No. 102)		140
Corporation license tax		
consolidated returns	89	
deductions allowed	274	
exempt corporations are not to supply materials or services, when	289	
exemptions (Chapter No. 155)	131	
gross income defined (Chapter No. 235)	348	
Montana interest and dividend		
withholding tax	286	
Counties		
budget limitation		42
civic youth or recreation center, levy for	261	
poor tax fund additional levy not to exceed 10 mills ..	141	
water districts, reserve fund (Chapter No. 46)	211	
water districts taxes (Chapter No. 46)	211	
Deductions, income tax	326	
Diesel fund		
exemption for counties, incorporated cities and towns and school districts	132	
Distribution of gasoline license tax, increase in state advertising fund (Chapter No. 42)	5	
Distribution of proceeds tax funds by state treasurer ..	138	
Domestic building and loan associations, deductions	274	
Domestic savings and loan associations, deductions	274	
Equalization, county board		
meeting date	58	
Equalization of property		
assessment date changed		150
Equalization, state board		
gasoline tax exemptions	136	
Excise, tax on wheat	44	

Taxation—(Continued)	H. B.	S. B.
Exemptions on real property for religious denomina- tions	290	
Federal, repeal of certain taxes asked	H.J.R. 10	
Federal, schools to receive 10 per cent	H.J.M. 5	
Gasoline dealers and distributors license tax refunds to apply to urban passenger transportation systems		100
Gasoline dealers license tax, exemption	133	
Gasoline license tax, exemption permit	136	
Gasoline tax exemption of counties, school districts, cities and towns	39	
refunds, penalties for unlawfully obtaining	214	
not paid before application made	214	
to include passenger transportation systems		100
Hail insurance, tax on gross annual levies (Chapter No. 189)	186	
Income tax adjusted gross income	329	
cooperatives and cooperative marketing associations	329	
deductions allowed	21, 326	
exemptions, benefits under federal employees re- tirement act	411	
Montana interest and dividend withholding tax	286	
non-residents working in Montana, collection from (Chapter No. 154)		193
political contribution deductions	21	
withholding, definitions	303	
Income tax on payments to non-residents, additional information (Chapter No. 154)		193
Increase on net premiums of insurers (Chapter No. 160)	S.H.B. 90	
Inheritance tax exemptions	294	
on certain deeds (Chapter No. 248)		103
transfers by deed between husband and wife (Chap- ter No. 248)		103
transfers of property, when exempt		124
Insurers net premiums tax increased (Chapter No. 160)	S.H.B. 90	
Levy of additional tax for county poor funds (Chapter No. 10)	15	
Levy of taxes common school support		118
county commissioners (Chapter No. 205)		15
county poor fund (Chapter No. 10)	15	
county poor fund limited to 10 mills	141	
elementary school district budgets, restrictions re- moved (Chapter No. 247)		95
firemens disability and pension fund	232	
high school district judges, restrictions removed (Chapter No. 246)		94
high school districts special levy election day (Chapter No. 163)	142	
irrigation districts (Chapter No. 135)	376	
joint school districts, determination (Chapter No. 151)	358	
metropolitan improvement districts, creation of	240	
planning-zoning districts	384	
television translator stations (Chapter No. 198)	S.H.B. 310	
schools restrictions special levies for certain high schools	103	
school requirements	173	

Taxation—(Continued)	H. B.	S. B.
transportation of pupils	55	
snow removal		27
textbooks, repealed (Chapter No. 79)		50
wheat research	44	
youth or recreation center	261	
License taxes		
attorneys at law, increased (Chapter No. 18)	190	
coal mining license tax	285	
deposits and credits of (Chapter No. 42)	5	
gasoline license drawback fund, deposits and credits (Chapter No. 42)	5	
insurers (Chapter No. 160)	S.H.B. 90	
lignite coal mining	284	
racing association (Chapter No. 57)	S.H.B. 295	
state banks exemption		29
state highway fund, deposits and credits (Chapter No. 42)	5	
stores, repealed	69	
Lien of tax, when cancelled under hail insurance act	48	
Livestock, migratory	346	
Merchants and manufacturers act, procedure for assessing changed	347	
Metropolitan improvement districts	240	
Migratory personal property	346	
Motor fuels, use by class A motor carriers		177
Motor vehicles		
fees	68	
fees for special permit for single movement	67	
New motor vehicles, sales tax	433	
New passenger vehicles sales tax (Chapter No. 193)	258	
Oil and gas conservation privilege and license tax (Chapter No. 47)	S.H.B. 216	
Personal property, exemption or limitation	8	
Personal property, migratory	346	
Property		
classification	62	
classification for taxation to encourage new indus- try (Chapter No. 239)		137
Property owner responsibility to report property	158	
Real property, exemption or limitation	8	
Repeal of certain federal taxes asked	H.J.R. 10	
Reimbursement to county for tax revenue loss from state-owned lands		38
Sales tax, new motor vehicles	433	
passenger vehicles (Chapter No. 193)	258	
Schools		
levies required, how determined	173	
levy requirements, statement of	173	
State government support 1961, 1962 (Chapter No. 50)	316	
Television translator stations (Chapter No. 198) S.H.B.	310	
Trailers affixed to land as class 4 property (Chapter No. 103)		163
Water taxes (Chapter No. 46)	211	
Wheat, for research	44	
Telegraphs and Telephones:		
Costs of disconnecting power and telephone lines when structure moved, borne by owner, when		192
Party line or public pay telephone must be released in emergency (Chapter No. 206)		17

Telegraphs and Telephones—(Continued)	H. B.	S. B.
Relinquishing of party lines (Chapter No. 206)		17
Televised Instruction Experimentation:		
Appropriation for	200	
Television:		
Special improvement districts for (Chapter No. 198)	S.H.B. 310	
Terms of Office:		
Certain state officers and employees	391	
Territorial Centennial Commission—See Montana Ter- ritorial Centennial Commission		
Textbooks—See Schools		
Textbook License Division:		
Appropriation	461	
Therapy, Massage:		
Definition and practice of		46
Tort:		
Uniform contribution among tortfeasors act		53
Tortfeasors—Uniform Contributions Act		53
Tourist Camp Grounds:		
Regulations	307	
Trading Stamps:		
counties, cities and towns, trading stamp act, license fee	443	
Distribution of	389	
Issuance unlawful	43	
Licensing (Chapter No. 153)	442	
Licensing and bonding	441	
Redemption	23	
Regulation of (Chapter No. 153)	442	
Trailers:		
Permanently fixed, how taxed (Chapter No. 103)		163
Transportation:		
Motor carrier act of 1961	330	
Persons, for hire on public highways	330	
Transportation of Prisoners:		
Appropriation	454	
Traveling expenses, County Assessors	328	
Travel, State, Supervision of (Chapter No. 80)		2
Treasurer—See Also State Treasurer		
Treasurer of state board of education	22	
Trespass:		
Defining and prohibiting on state lands		10
Trust Receipts:		
Fee for filing increased (Chapter No. 117)	394	

SUBJECT INDEX

INDEX—85

	H. B.	S. B.
Trusts and Trustees:		
Trustees, accounting to court	293	
Tuberculosis Sanitarium:		
Acceptance of geriatric and senile patients (Chapter No. 94)	S.H.B. 359	
Appropriation	444, 456	
State sanitarium, name changed to the Montana state sanitarium (Chapter No. 94)	S.H.B. 359	
Unemployment Compensation:		
Annual contribution of employer (Chapter No. 156)	27	
Benefits		
benefits formula restored		19
disqualification (Chapter No. 156)	27	
duration (Chapter No. 156)	27	
eligibility conditions restored		19
federal employees (Chapter No. 156)	27	
maximum increased (Chapter No. 156)	27	
maximum potential benefit increased		19
maximum potential duration increased		19
minimum benefits reduced		19
minimum increased (Chapter No. 156)	27	
restoring	101	
servicemen and veterans (Chapter No. 156)	27	
waiting period (Chapter No. 156)	27	
Benefit schedule revised (Chapter No. 156)	27	
Commission		
annual report to governor (Chapter No. 156)	27	
cooperation with secretary of labor required (Chapter No. 156)	27	
Contributions		
failure to pay (Chapter No. 156)	27	
minors wages exempt	427	
restoring	100	
Contributions rates restored		40
experience rating restored		40
minimum		40
Definition of terms (Chapter No. 156)	27	
Employer, certificate and lien against (Chapter No. 156)	27	
Employer account credits (Chapter No. 156)	27	
"Employing unit" to include state and political subdivisions		162
Exempting minors' wages from contributions	427	
False statements (Chapter No. 156)	27	
Minimum trust fund (Chapter No. 156)	27	
Minors wages exempt from contributions	427	
Revision of provisions (Chapter No. 156)	27	
Taxable wage increased		40
Underground Water Levels:		
Minimum levels for natural lakes		117
Undertakers—See Embalmers and Funeral Directors		
Uniform Act for Driver License Compact		184
Uniform Arrest Act		65
Uniform Commercial Code	210	
Uniform Reciprocal Enforcement of Support Act (Chapter No. 208)		60

	H. B.	S. B.
Uniform State Laws:		
Adoption of uniform contribution among tortfeasors ..		53
Union Labels:		
Requirement on state printing		206
University of Montana—See Colleges and Universities		
Utilities:		
Costs of disconnecting power and telephone lines		192
Relocation of facilities in connection with highway work	409	
Securities, supervision of issuance of (Chapter No. 174)		186
Utilization Research Laboratory:		
Appropriation for, at Montana state college	259	
Valiton Ranch:		
Sale authorized (Chapter No. 226)	361	
Verdict:		
Criminal procedure		
each offense must be stated in the verdict, when (Chapter No. 172)	S.S.H.B.	165
Veterans:		
Certain veterans to fish and hunt without license	429	
Housing facilities, extension (Chapter No. 231)		136
Pensions for World War I veterans	H.J.M. 18	
Use of veterans and pioneers building by World War I veterans (Chapter No. 54)	81	
World War I veterans of Montana, use of building provided (Chapter No. 54)	81	
Veterans Compensation Bond Retirement Fund:		
Transfer of interest earned	H.R. 8, 462	
Senate asks H.R. 8 be disregarded		S.R. 20
Veterans Compensation Fund:		
Transfer of	H.R. 7, 223	
Veteran's Day:		
School not to be dismissed		61
Veterans Emergency Housing:		
Extension of facilities to May 1, 1965 (Chapter No. 231)		136
Veteran Housing Facilities:		
Provision for operation of temporary and emergency war?	281	
Veteran Korean Bonus:		
Application time extended		176
Veterans Welfare:		
Appropriation	454	
Veterans World War I, Pension	H.J.M. 18	
Appropriation	461	

	H. B.	S. B.
Veto:		
*HB 72 (vetoed after adjournment)		
*HB 76	p. 356	
*HB 383 (vetoed after adjournment)		
*SSHB 400 (vetoed after adjournment)		
*HB 403	p. 403	
*HB 453 (vetoed after adjournment)		
*HB 455 (vetoed after adjournment)		
*Text of all vetoes available in office of the Secretary of State.		
Vocational Education:		
Appropriation	461	
Vocational Rehabilitation:		
Appropriation	457	
Division of Montana state board of education (Chapter No. 21)	244	
Vocational Rehabilitation, Division of:		
Name change to (Chapter No. 53)	S.H.B. 61	
Wage, Minimum:		
Establishing minimum wages for certain employees	313	
Wages—See Salaries		
Water:		
Furnishing to industries (Chapter No. 194)	266	
Well contractor licensing act (Chapter No. 176)	242	
Water and Water Districts:		
Commissioners to levy water taxes (Chapter No. 46)	211	
County water districts, reserve funds (Chapter No. 46)	211	
Ground water act (Chapter No. 237)		H.S.S.B. 78
Water well contractors board (Chapter No. 176)	242	
Water and Water Rights:		
Appropriation of ground water (Chapter No. 237)		H.S.S.B. 78
Low water level established for underground natural lakes		117
Regulation of ground water (Chapter No. 237)		H.S.S.B. 78
Safety devices for special rural improvement districts (Chapter No. 30)	155	
(Chapter No. 32)	156	
Water Wells:		
Ground water wells, regulation to prevent waste (Chapter No. 237)		H.S.S.B. 78
Must be properly plugged	428	
Water Works:		
Authority of county to acquire (Chapter No. 134)	320	
Weed Control:		
Law amended (Chapter No. 11)	109	
Supervisors appointed (Chapter No. 51)	110	
Weeds:		
Inclusion of state lands in weed control law (Chapter No. 11)	109	
Mileage and per diem for control supervisors (Chapter No. 51)	110	

	H. B.	S. B.
Weights, Measures and Grades:		
Commodities one per cent weight variance permissible		170
Fees of state sealer (Chapter No. 145)		171
Seals on gasoline pumps (Chapter No. 147)		174
State sealer, fees raised (Chapter No. 145)		171
Weighing devices without state seal, misdemeanor to use (Chapter No. 147)		174
Weight information slips, when necessary	198	
Weight of commodities may vary one per cent		170
Western Montana College:		
Appropriation	458	
Western Regional Education Compact:		
Appropriation	461	
Wheat:		
Research in production, marketing and utilization of	44	
Wills:		
Contest, time for	383	
Probate of wills		
contest time for	383	
Workmen—See Labor		
Workmen's Compensation Act:		
Accidents, manner of payment (Chapter No. 197)	291	
Appeal to district court, additional evidence	423	
Benefits increased		116
Compensation		
benefits increased (Chapter No. 162)	140	
manner of payment (Chapter No. 197)	291	
Contractor and employees to come under employer's plan, presumption	257	
Employers liable when independent contractor not qualified	257	
Industrial accident benefits, termination		25
Industrial accident board		
autopsy report, how filed		123
autopsies, when ordered		123
compensation of member appointed (Chapter No. 148)		178
rehabilitation of industrially injured workmen, allocation for (Chapter No. 21)	244	
salary, appointed member	296	
silicosis benefit payments, transfer of records from state department of public welfare (Chapter No. 225)	S.H.B. 312	
unreasonable delay in making payment of award 10 per cent increase allowed (Chapter No. 227)		66
Industrial insurance fund, when employers premiums reduced	426	
Payments delayed or refused (Chapter No. 227)		66
Payment period changed to biweekly (Chapter No. 197)	291	
Plan number two		
election of employer (Chapter No. 49)	235	
employer's duty after election of plan number two (Chapter No. 49)	235	
renewals (Chapter No. 49)	235	
who may be bound (Chapter No. 49)	235	
Redefining "injury", "injured" (Chapter No. 162)	140	
Vocational rehabilitation (Chapter No. 21)	244	

H. B. S. B.

World Court, Asking Retention	S.H.J.M.	9
Yellowtail Dam, Policy on		
Construction and Maintenance	H.J.M.	10
Yellowstone Park, Power-		
Boating Policy	H.J.M.	11
Youth Guidance Centers:		
Joining of counties to establish (Chapter No. 24)	S.H.B.	42
Youth Guidance Centers, Joint County:		
Establishment and maintenance (Chapter No. 24)	S.H.B.	42

INDEX TO HOUSE BILLS

Bold face figures refer to roll calls: Thus 296.

No.	Title of Bill	Page
1	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Thirty-seventh Legislative Assembly of the State of Montana."	18, 21, 41, 42, 46, 52, 54,
2	Introduced by Nichols: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-seventh Legislative Assembly of the State of Montana."	18, 21, 41, 42, 46, 52, 54.
3	Introduced by Bardonoue and Schwinden: A bill for an act entitled: "An act increasing the salary of the Commissioner of Agriculture and making the Commissioner of Agriculture responsible to the Governor; creating agriculture advisory boards in the areas of livestock, poultry, dairy, grains and horticulture; establishing divisions of administrative services, plant industry, animal industry and marketing in the Department of Agriculture; abolishing the Montana Livestock Commission, the Livestock Sanitary Board, the Milk Control Board, the State Board of Food Distributors, the Montana Trade Commission and the Agriculture and Livestock Council and transferring the powers and duties of these agencies to the Commissioner of Agriculture or the Department of Agriculture and transferring all records and property of these agencies to the Department of Agriculture by amending sections 3-102, 3-103, 3-109, 3-2401, 3-2402, 3-2452, 3-2457, 46-104, 46-105, 46-203, 46-205, 46-206, 46-208, 46-209, 46-211, 46-212, 46-213, 46-214, 46-216, 46-217, 46-218, 46-219, 46-220, 46-221, 46-222, 46-224, 46-226, 46-227, 46-228, 46-229, 46-230, 46-231, 46-232, 46-234, 46-235, 46-239, 46-240, 46-241, 46-243, 46-301, 46-302, 46-402, 46-403, 46-404, 46-405, 46-406, 46-407, 46-408, 46-409, 46-410, 46-412, 46-414, 46-415, 46-501, 46-503, 46-506, 46-601, 46-604, 46-609, 46-701, 46-703, 46-704, 46-705, 46-707, 46-709, 46-801, 46-802, 46-803, 46-804, 46-806, 46-902, 46-903, 46-904, 46-906, 46-907, 46-908, 46-909, 46-910, 46-911, 46-912, 46-913, 46-914, 46-915, 46-916, 46-917, 46-918, 46-920, 46-1001, 46-1002, 46-1003, 46-1004, 46-1006, 46-1008, 46-1011, 46-1012, 46-1101, 46-1804, 46-1903, 46-1904, 46-1908, 46-1909, 46-1912, 46-1914, 46-2004, 46-2007, 46-2401, 46-2402, 46-2403, 46-2404, 46-2405, 46-2406, 46-2407, 46-2408, 46-2412, 46-2501, 46-2505, 46-2507, 46-2508, 46-2509, 46-2510, 46-2511, 46-2512, 46-2514, 46-2602, 46-2603, 46-2604, 46-2605, 46-2606, 46-2607, 46-2608, 46-2609, 46-2610, 46-2703, 46-2705, 84-5211, 84-5214,	

No.	Title of Bill	Page
	3-2201, 27-403, 27-405, 27-406, 27-407, 27-408, 27-409, 27-410, 27-411, 27-413, 27-414, 27-415, 27-416, 27-417, 27-418, 27-420, 27-421, 27-422, 27-424, 27-426, 27-427, 27-428, 27-429, 27-301, 27-306, 27-310, 27-311, 27-313, 27-314, 70-202, 70-204, 70-205, 70-209, 70-212, 70-213, 70-215, 70-216, 70-219, 70-220, 70-221, 70-222, 70-223, 70-224, 70-225, 70-226, 70-227, 70-228, 70-229, 70-230, 70-231, 70-232, 94-1116, 51-106, 51-113, 51-114, 51-115, 51-116, 46-207, and 46-1410, R.C.M. 1947, and by repealing sections 3-101, 3-108, 3-109.1, 3-111, 3-112, 3-204, 3-1506, 3-1507, 3-1508, 3-1509, 46-101, 46-102, 46-103, 46-106, 46-201, 46-202, 46-204, 46-242, 46-244, 26-610, 82-2301, 27-404, 27-425, 27-302, 27-303, 27-304, 27-305, 27-307, 27-308, 27-309, 27-315, 70-201, 70-203, 70-233, 82-2901, 82-2902, and 82-2903, R.C.M. 1947."	36, 220, 235.
4	Introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-2312 of the Revised Codes of Montana, 1947, relating to the Montana state egg seal, to provide for an increase in the price for such seal, and to provide for the repeal of all acts and parts of acts in conflict herewith."	37, 329.
5	Introduced by Broeder, Lundgren, Cerovski, Daniels: A bill for an act entitled: "An act to amend section 84-1812 of the Revised Codes of Montana, 1947, relating to the distribution of proceeds of tax-funds and providing for an increase in the annual expenditure for dissemination of public information from eighty-five thousand dollars (\$85,000.00) to one hundred and twenty-six thousand five hundred dollars (\$126,500.00); to repeal section 84-1816 of the Revised Codes of Montana, 1947, and repealing all acts and parts of acts in conflict herewith."	38, 70, 90, 92, 97, 99, 100, 104, 435, 453, 472, 529, 530, 609.
6	Introduced by Nichols: A bill for an act entitled: "An act amending section 59-901, R.C.M. 1947, to provide that the Governor shall fix the salaries of heads of all executive state agencies except salaries of heads of institutions governed by the board of examiners or board of education, salaries of elected officials and salaries appearing as line items in appropriation bills."	38, S-110
Sub. 6	Introduced by Committee on State Administration: A bill for an act entitled: "An act amending section 59-901 Revised Codes of Montana, 1947, to provide that the governing board or agency head of each state agency shall fix the salaries of all employees below the rank of department head and to provide that the governor shall fix the salaries of heads of all executive state agencies except salaries of heads of institutions governed by the Board of Examiners or Board of Education, salaries of elected officials and salaries ap-	

No.	Title of Bill	Page
	pearing as line items in appropriation bills; repealing all acts and parts of acts in conflict herewith and providing an effective date."	110, 111, 119, 170, 271, SA-460.
7	Introduced by Nichols: A bill for an act entitled: "An act to abolish the Montana poultry improvement board and transfer the duties of said board to the commissioner of agriculture by amending sections 3-2201, 3-2202, 3-2204, 3-2205, 3-2207, 3-2209, 3-2211 and 3-2212, R.C.M. 1947, and by repealing section 3-2203, R.C.M. 1947."	39, 106, 165, 186, 187, 188, 337, 405, 426, 441, 453, SA-457, 480, 529, 566.
8	Introduced by Conklin: A bill for an act entitled: "An act to submit to the electors of the State of Montana an amendment to the Constitution of Montana by adding a new section to provide that a county, city and county, city, town or district may, by local option, exempt or limit taxation on real property improvements and personal property if land value taxes are simultaneously increased, notwithstanding any other constitutional provision."	39, 41, 245.
9	Introduced by Bardanoue, Eskildsen: A bill for an act entitled: "An act to eliminate the ex officio capacity as furnishing board of the state board of examiners by amending section 82-1125, R.C.M. 1947."	39, 96.
10	Introduced by Bardanoue, Eskildsen: A bill for an act entitled: "An act to abolish the Carey land act board and to transfer any remaining duties and properties of that board to the state board of land commissioners; amending sections 81-2007 and 81-2101, R.C.M. 1947, and repealing sections 81-2001, 81-2002, 81-2003, 81-2004, 81-2005, 81-2011, 81-2012, 81-2013, 81-2014, 81-2015, 81-2016, 81-2017, 81-2102, 81-2103, 81-2104, 81-2105, 81-2106, 81-2107, 81-2108, 81-2109, 81-2110, 81-2111, 81-2112, 81-2113, 81-2114, 81-2115, 81-2116, 81-2117, 81-2118, 81-2119, 81-2120, 81-2121, 81-2122, 81-2123, 81-2124, 81-2125, 81-2126, 81-2127, 81-2128, 81-2129, 81-2130, R.C.M. 1947."	39, 61, 76, 84, 85, 183.
11	Introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-3616, Revised Codes of Montana, 1947, relating to disbursements from the state public school equalization fund; and containing a repealing clause."	39, 123, 165, 186, 187, 189, 473, 486, 529, 566.
12	Introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-1529, Revised Codes of Montana, 1947, relating to the publication of annual financial statements of school districts by	

No.	Title of Bill	Page
	the county superintendent of schools; and containing a repealing clause."	39, 70, 86, 92, 93, 95, 358, 371, 396, 463.
13	Introduced by Nichols, Haines, Bardanouve, Hanks, Hazelbaker, Loman, McOmber, Cerovski: A bill for an act entitled: "An act to amend section 59-510, R.C.M. 1947, to provide that salaried state employees shall work a minimum of forty (40) hours a week."	39, 43, 52, 55, 60, 65, 126, 165, 166, 193, 336.
14	Introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 192, Laws of 1949, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, relating to eligibility requirements for aid to persons having silicosis; to amend section 71-1008, Revised Codes of Montana, 1947, as amended by section 3, chapter 192, Laws of 1949, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955, relating to conformity with acts of the federal government, repealing all acts and parts of acts in conflict herewith."	39, 45, 60, 73, 76, 79, 167, 173, 175, 193, 336.
15	Introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed six (6) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith."	40, 45, 52, 55, 60, 65, 73, 80, 204, 237, 249, 294, 336.
16	Introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-405 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 155, Laws of 1949, as amended by section 18, chapter 199, Laws of 1951, and as amended by section 3, chapter 71, Laws of 1957, relating to the county share of participation in old age assistance grants, and repealing all acts and parts of acts in conflict herewith."	40, 45, 52, 55, 60, 66, 175, 191, 193, 336.
17	Introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-1206, enacted as section 6, chapter 160 of the Session Laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, as amended by section 10, chapter 71, Laws of 1957, relating to	

No.	Title of Bill	Page
	the county share of participation in aid to the permanently and totally disabled grants, and repealing all acts and parts of acts in conflict herewith."	40, 45, 52, 55, 56, 60, 66, 175, 191, 193, 336.
18	Introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-508 of the Revised Codes of Montana, 1947, as amended by section 6, chapter 71, Laws of 1957, relating to the county share of participation in aid to dependent children grants, and repealing all acts and parts of acts in conflict herewith."	40, 45, 52, 56, 67, 76, 79, 175, 191, 193, 336.
19	Introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-611 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 155, Laws of 1949, as amended by section 32, chapter 199, Laws of 1951, as amended by section 8, chapter 71, Laws of 1957, relating to the county share of participation in aid to needy blind grants, and repealing all acts and parts of acts in conflict herewith."	40, 46, 52, 56, 60, 66, 175, 191, 193, 336.
20	Introduced by Haines, Bradford, Blewett, Cerovski, Anderson (Yellowstone), Haughey, Murray, Jensen (Lake), Daniels, Jensen (Mineral), Bush, Page, Lucas, Reed, Stearns, Stimatz, Conklin, Loman: A bill for an act entitled: "An act to amend section 93-302, R.C.M. 1947, as amended by chapter 161, Laws of 1959, relating to the number of judges in each of the judicial districts; providing that there shall be three judges in the fourth judicial district on and after July 1, 1961, providing for appointment and election of such third judge, and deleting obsolete matter relating to selection of judges in other districts in former years."	40, 97.
21	Introduced by Schwinden and Teigen: A bill for an act entitled: "An act to amend Section 84-4906, R.C.M. 1947, relating to deductions allowed in computing net income for purposes of state income tax; permitting a deduction not exceeding twenty-five dollars (\$25) in any calendar year for contributions made to political candidates, political organizations or bona fide political parties."	41, 110, 119, 170, 173, 179.
22	Introduced by Kvaalen, Kolar, Barnard: A bill for an act entitled: "An act relating to the membership, powers and duties of the state board of education; to provide for its composition and organization, for removal of members, for meetings, to vest the board with the general control and su-	

No.	Title of Bill	Page
	pervision of certain state institutions, and to repeal Sections 75-101, 75-102, 75-103, 75-104, 75-105, 75-106 and 75-302, R.C.M. 1947."	41, 232.
23	Introduced by Hanks and Nichols: A bill for an act entitled: "An act requiring trading stamp companies or merchants to redeem trading stamps in cash in amounts aggregating twenty-five cents (25¢) or over of the cash value stated thereon." ..	41.
24	Introduced by Spahr: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 6, Article V of the Constitution of Montana; providing for an annual meeting of the Legislative Assembly and deleting obsolete matter relating to the First Legislative Assembly."	41, 265.
25	Introduced by Keller, Crum and Gustafson: A bill for an act entitled: "An act to amend section 71-604 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 81, Laws of 1949, as amended by section 3, chapter 157, Laws of 1951, and as amended by section 27, chapter 199, Laws of 1951, relating to eligibility for aid to needy blind, repealing all acts and parts of acts in conflict herewith."	43, 46, 52, 56, 60, 67, 167, 173, 175, 193, 336.
26	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate one hundred thousand dollars (\$100,000) for the operation and expenses of the legislative council for the period beginning July 1, 1961 and ending June 30, 1963."	43, 504, 515, 526, 539, 541, 551, 623, 650, 651, 666.
27	Introduced by Haughey, Laas, Sullivan (Silver Bow), Gustafson, Hawks, Anderson (Yellowstone), Loman, Cerovski: A bill for an act entitled: "An act to amend section 87-103 Revised Codes of Montana, 1947, as amended by section 1 of chapter 140, Laws of Montana 1957, section 87-104 Revised Codes of Montana, 1947, as amended by section 3 of chapter 140, Laws of Montana, 1957, section 87-105 Revised Codes of Montana, 1947, as amended by section 2 of chapter 140, Laws of Montana 1957, section 87-106 Revised Codes of Montana 1947, as amended by section 1 of chapter 171, Laws of Montana 1957, section 87-109, Revised Codes of Montana 1947, as amended by section 3 of chapter 171, Laws of Montana 1957, section 87-120 Revised Codes of Montana 1947, section 87-128 Revised Codes of Montana 1947, as amended by section 7 of chapter 171, Laws of Montana 1957, section 87-139 Revised Codes of Montana 1947, section 87-145 Revised Codes of Montana 1947, as amended by section 7 of chapter 164 Laws of Montana 1955, section 87-149	

No.	Title of Bill	Page
	Revised Codes of Montana 1947, as amended by section 12 of chapter 171, Laws of Montana 1957, section 87-152 Revised Codes of Montana 1947, and to repeal section 87-144 Revised Codes of Montana 1947, all of which sections are a part of and pertain to the unemployment compensation law; by providing for new bracketing in the determination of high quarter wages in the benefit schedule and eliminating certain steps of such schedule; by increasing the minimum weekly benefits amounts; by increasing the maximum weekly benefit amounts; by providing for variable and increased duration of benefits; by providing for a one week waiting period; by changing the provisions relative to disqualification for benefits; increasing the average annual contribution on taxable payrolls to 1.5 per centum; reducing the minimum trust fund balance below which all employer tax rates will automatically become 2.7 per centum and reducing the required amount necessary in the trust fund before employer tax rates will again be based upon experience rating; allowing abatement of certain charges to employer accounts by reason of benefits paid; correcting ambiguous wording; revising the period of time to be reported in the annual report of the commission to the governor covering the administration and operation of the unemployment compensation law and the date such report shall be submitted; requiring commission cooperation with the secretary of labor in administering acts of congress to pay unemployment compensation benefits to federal employees, veterans and ex-service personnel of the armed forces of the United States; repealing section 87-144 which provides for payment of state unemployment compensation benefits to certain ex-servicemen of the armed forces of the United States; revising the period of time within which the commission may issue a certificate and lien against any employer for failure to pay contributions due; amending the penalties for false statements or willful non-disclosures; revising the definition of 'total employment'; providing a definition for 'gross misconduct'; entering the name of the proper federal agency in section 87-152; providing a savings clause; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	44, 86, 97, 101, 113, 133, 165, 169, 531, 565, 584, 650, 651, 666.
28	Introduced by Leuthold and Aasheim: A bill for an act entitled: "An act to amend section 75-3611, Revised Codes of Montana, 1947, relating to the foundation program; defining terms; providing for determining average number belonging; providing for reopening a closed school; providing	

No.	Title of Bill	Page
	for opening a new school; containing a repealing clause; and fixing an effective date."	44, 70, 86, 92, 99, 100, 104, 482, 496, SA-502, 553, 554, 581, 655.
29	Introduced by Page, Haines, Johnson, Lucas, Lord, Wayrynen, Picard, Bush: A bill for an act entitled: "An act relating to the acquisition, erection, equipment, enlargement, and improvement of residence halls and other self-financing facilities at state institutions of higher education; providing for the financing and management thereof; and repealing sections 75-201 to 75-206, inclusive, of the Revised Codes of Montana, 1947."	44, 59, 323.
30	Introduced by Cerovski and Moudree: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish and operate additional wings to the home for senile men and women; authorizing the board of examiners to employ architects to design said additional wings to said home, and authorizing the board of examiners to advertise and call for bids for the construction of said additional wings; authorizing the board of examiners to purchase out of any remaining moneys, furnishings for said additional wings and the employment of help to operate and maintain the same; providing for an effective date of act and repealing all acts and parts of acts in conflict herewith."	46, 249.
31	Introduced by Bentz and Weeks: A bill for an act entitled: "An act to amend section 53-501, R.C.M. 1947, relating to color of state-owned vehicles—vehicles in service of the governor and other state departments; excepting vehicles of the state highway commission and the Montana highway patrol relating to color; specifying location and size of lettering; deleting provision which requires vehicles to be chrome yellow color; authorizing state controller to determine color of vehicles except in cases of vehicles purchased for state highway commission and state highway patrol; requiring vehicles to be lettered on deck lid; repealing all acts or parts of acts in conflict herewith; providing effective date of act."	47, 54, 87, 100, 110, 118, 123, 129, 407.
32	Introduced by Bentz and Weeks: A bill for an act entitled: "An act to amend section 53-504, R.C.M. 1947, relating to the power and authority of the governor to formulate rules and regulations governing the use and operation of state owned vehicles; deleting obsolete vehicle specifications relating to purchase of motor vehicles; providing that new motor vehicles shall be purchased on basis of low bid as per specifications; repealing	

No.	Title of Bill	Page
	all acts or parts of acts in conflict herewith; providing effective date of act."	47, 86, 106, 118, 131, 170, 172, 518, 539, 546, 553, 581, 594, 608, 627.
33	Introduced by Schwinden, Nichols, Bardanouve, Kvaalen, Spahr and Leuthold: A bill for an act entitled: "An act revising chapter 4, title 81, R.C.M. 1947, to change certain requirements and provisions for the leasing of state grazing and agricultural lands by amending sections 81-401, 81-402, 81-405, 81-406, 81-407, 81-413, 81-414, 81-415, 81-419, 81-421, 81-422 and 81-433, R.C.M. 1947, relating to the appraisal of state lands, the placing of improvements on state lands, lease terms and the cancellation of leases on state lands, the processing of applications to lease less than the total acreage leased, and the formula for determining rentals on state grazing lands; and by repealing sections 81-417, 81-432, 81-433.1 and 81-435, R.C.M. 1947."	47, 323, 338, 357, 390.
34	Introduced by Haines: A bill for an act entitled: "An act to amend section 75-5003, Revised Codes of Montana, 1947, relating to special education for mentally retarded and physically handicapped children; providing for local provision of special classes; providing for state reimbursement; providing for tuition payments; and containing a repealing clause."	47, 73, 87, 113, 169, 173, 179, 397, 453, SA-460, 480, 481, 529.
35	Introduced by Broeder, Rygg and Picard: A bill for an act entitled: "An act to amend section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the limitation of retail liquor licenses that may be issued by the Montana liquor board, deleting the provision that veterans' organizations and fraternal organizations are not to be governed by such limitations, providing for an effective date of this act, and repealing all acts and parts of acts in conflict therewith."	47, 369, 376, 393, S-394.
Sub. 35	Introduced by the Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the issuance of retail liquor licenses, limit on number of licenses and lapse and cancellation of same; requiring veterans' and fraternal organizations to sell liquor to members and their guests only; changing the population figures for determining the limitations in cities, towns and counties; containing a general repealer clause."	394, 395, 405, 430, 436, 440, 530.
36	Introduced by Anderson (Yellowstone), Pierce,	

No.	Title of Bill	Page
	Schwinden, Judge: A bill for an act entitled: "An act providing that student fees that have been pledged for the liquidation of obligations incurred for the construction of facilities at units of the University of Montana are not tuition, and limiting the use to which such student fees may be put."	47, 323, 346, 365, 386, 401, 427, 430, 433, 577, 591, SA-597, 621, 622, 627.
37	Introduced by Anderson (Yellowstone) and Pierce: A bill for an act entitled: "An act authorizing the regents of the University of Montana to construct, finance and control student housing facilities at units of the University of Montana and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205 and 75-206, R.C.M. 1947."	48, 323, 346, 365, 386, 401, 427, 430, 432, 577, 591, 592, 612, 634, 656, 661, 674.
38	Introduced by Stearns, Lord, Spahr and Bush: A bill for an act entitled: "An act to amend section 75-2506, Revised Codes of Montana, 1947, relating to revocation and suspension of teachers' certificates for causes including contract violation and containing a repealing clause."	48, 70, 86, 92, 93, 95, 583, 607, 608, 627.
39	Introduced by Jensen (Lake), Bradford, Rygg and Bardanouve: A bill for an act entitled: "An act to exempt counties, school districts, cities and towns from the state gasoline tax and to provide for a procedure for obtaining such exemption."	48, 232.
40	Introduced by Anderson (Yellowstone), Loman, Lucas, Burrell, Smith, Haughey, Seymour, Pierce, Reed, Blewett, Hawks: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 2 of article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately."	48, 333, 371, 402, 404, 414, 583.
41	Introduced by Spahr: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests for the purpose of determining the alcoholic content of his blood; by specifying those persons	

No.	Title of Bill	Page
	<p>who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; by providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; by providing that the test results shall be made available to the person so tested upon his request; by providing that the consent of a person incapacitated of refusing is not withdrawn; by authorizing the Montana highway patrol board to revoke the license of persons refusing to submit to a chemical test; by providing that law enforcement officers must furnish board with affidavit of refusal; by providing the person whose privilege to drive has been revoked with a hearing before the district court; by providing interpretation of chemical tests; by providing that proof of refusal shall be admissible in any civil or criminal action; by providing that this action shall not limit the introduction of other competent evidence; by providing that other states be notified of their residents' licenses who are revoked in this state; by providing for uniformity of interpretation; by providing for short title; by providing for constitutionality; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act."</p>	48, S-229.
Sub. 41	<p>Introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests for the purpose of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that the law enforcement officers must furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repealing all acts or parts of acts in conflict herewith."</p>	229, 230, 253, 269, 285, 286, 295, 296, 555.

No.	Title of Bill	Page
42	Introduced by Reed, Johnson, Lucas, Page, Bush, Daniels, Coulter: A bill for an act entitled: "An act for the establishment and maintenance of a joint county youth guidance center home and amending section 62-101, Revised Codes of Montana, 1947, relative to acquiring of lands for youth centers; also amending section 16-1008A, Revised Codes of Montana, 1947, as amended by section 1, chapter 76 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to the erection, furnishing and maintaining of youth centers.".....	49, 69, S-182.
Sub. 42	Introduced by the Committee on Townships and Counties: A bill for an act entitled: "An act to permit two or more counties, by contract, to establish joint county youth guidance centers; to provide for apportionment of costs among the contracting counties on such a basis to be agreed upon by said contracting counties.".....	S-182, 194, 212, 228, 337, 355, 396, 463.
43	Introduced by Leuthold: A bill for an act entitled: "An act making the issuance of trading stamps unlawful."	49, 176.
44	Introduced by Leuthold, Hanks, Kvaalen, Cerovski, Aasheim, Higham, Melcher, Wright, Etchart, Asbjornson, Edwards: A bill for an act entitled "An act to promote, establish and organize upon a permanent basis in the State of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the department of agriculture of the State of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the State of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana wheat research and marketing committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2½) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act, and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor; to provide for transfers from such revolving fund to the general fund of the State of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of	

No.	Title of Bill	Page
	the state auditor and state treasurer with relation to such funds; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in force and effect from and after its passage and approval.".....	49, 82, 106, 118, 123, 129, 255, 258, 517.
45	Introduced by Conklin: A bill for an act entitled: "An act amending section 3, Chapter 223, Laws of 1959, compiled as section 43-903, R. C. M. 1947; providing that the Montana Association of the Deaf shall be entitled to one free complete set of the proceedings of the legislature.".....	49, 86.
46	Introduced by Bradford, Haines, Page, Hanks, Mer- nin, Aasheim: A bill for an act entitled: "An act to amend section 23-502 of the Revised Codes of Montana, 1947, relating to registry books and registry cards, to provide for the inclusion of po- litical party affiliation; providing for the declar- ation of political affiliation and voting at primary elections; providing for registering change of political affiliation; providing for the form of affidavit for change of political affiliation; pro- viding for an elector to retain the same registra- tion number as he had prior to this act; to amend section 23-919 of the Revised Codes of Montana, 1947, relating to arrangement of ballots to con- form to the intent of this act; to amend section 23-1402 of the Revised Codes of Montana, 1947, re- lating to war registration cards, to provide for the inclusion thereon of the political affiliation; containing a repealing clause and providing an effective date."	49, 76, 124, 125.
47	Introduced by Aasheim, Wright, Etchart: A bill for an act entitled: "An act to amend section 82-1504 of the Revised Codes of Montana, 1947, pertaining to the crop lien securing hail insurance by cancelling liens not extinguished in ten years."	50, S-119.
Sub. 47	Introduced by the Committee on Townships and Counties: A bill for an act entitled: "An act to amend section 82-1504 of the Revised Codes of Montana, 1947, pertaining to the crop lien secur- ing hail insurance by cancelling liens filed for record before 1940."	119, 165, 186, 187, 189, 387.
48	Introduced by Aasheim, Wright and Etchart: A bill for an act entitled: "An act to cancel the tax lien provided for by the hail insurance act where the tax remains uncollectable for ten years.".....	50, S-119.
Sub. 48	Introduced by the Committee on Townships and Counties: A bill for an act entitled: "An act to cancel the tax lien provided for by the hail insur-	

No.	Title of Bill	Page
	ance act where the tax lien was filed for record before 1940; and providing that conflicting acts herewith are repealed."	119, 165, 187, 190, 387.
49	Introduced by Reinecke, Bentz, McOmber: A bill for an act entitled: "An act to amend section 32-2157 of the Revised Codes of Montana, 1947, as amended, relating to no passing zones and providing the rules for designating and marking of no passing zones, and prohibiting driving on the left side of any roadway within no passing zones or on the left side of the pavement striping in a no passing zone, and repealing all acts and parts of acts in conflict herewith."	50, 96, 114, 169, 173, 177, 473.
50	Introduced by Broeder: A bill for an act entitled: "An act to amend section 53-129 of the Revised Codes of Montana, 1947, as amended, relating to foreign licensed motor vehicles; providing that owners of such vehicles shall have ten (10) days to register same; providing that Montana motor vehicle reciprocity board may make agreements with other states concerning operation of such vehicles; providing that copy of certificate of registration be forwarded to the state highway commission; providing for membership of Montana motor vehicle reciprocity board; providing for meetings of said board; authorizing intrastate operations of motor vehicles coincidentally with interstate operation when sanctioned by reciprocal agreement; and repealing of all acts and parts of acts in conflict herewith."	50, S-171.
Sub. 50	Introduced by the Committee on Highways: A bill for an act entitled: "An act to amend section 53-129 of the Revised Codes of Montana, 1947, as amended, relating to foreign licensed motor vehicles; providing that Montana motor vehicle reciprocity board may make agreements with other states concerning operation of foreign vehicles; providing that copy of certificate of registration be forwarded to the State Highway Commission; providing for membership of Montana motor vehicle reciprocity board; providing for meetings of said board; authorizing intrastate operations of motor vehicle coincidentally with interstate operation when sanctioned by reciprocal agreement; and repealing of all acts and parts of acts in conflict herewith."	171, 177, 194, 212, 219, 227, 407.
51	Introduced by Higham: A bill for an act entitled: "An act to amend section 75-4506, Revised Codes of Montana, 1947, providing for the determination of the maximum budget for high schools of school districts maintaining more than one high school; containing a repealing clause; and fixing an effective date."	51, 87, 95, 99, 100, 104, 358, 371, 396, 463.

No.	Title of Bill	Page
52	Introduced by Murray, Broeder, Lundgren, Rygg: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish, equip a new residence hall to replace the old main building on the grounds of the Montana soldiers' home at Columbia Falls, Montana; authorizing the board of managers of said home to employ architects to design the said new residence hall and to remodel the existing dormitory, and authorizing the board of managers to advertise and call for the construction of said new building and remodeling of said dormitory building or buildings, and demolition of old main building; authorizing the said board to purchase out of any remaining monies, furnishings and equipment for said new residence hall; declaring this to be a supplementary appropriation bill and declaring that an emergency exists; and repealing all acts and parts of acts in conflict herewith.".....	51, 287.
53	Introduced by Blewett, Murray, Loman, Daniels, Haughey, Anderson (Yellowstone), Abel: A bill for an act entitled: "An act providing for the giving of reasonable notice in writing to publisher and reasonable opportunity to correct libelous matter as pre-requisite to commencement of action on account of any libelous publication in any newspaper, magazine or periodical; providing what shall constitute a correction of such libelous matter; providing that a correction, published in accordance with the provisions of this act shall constitute a defense against the recovery of any damages except actual damages, provided the publication was made under honest mistake or misapprehension; providing that such correction shall be competent and material in mitigation of actual damages to the extent such correction does so mitigate such damages; repealing all acts and parts of acts in conflict herewith.".....	51, S-221.
Sub. 53	Introduced by Committee on Judiciary: A bill for an act entitled: "An act providing for the giving of reasonable notice in writing to publisher and reasonable opportunity to correct libelous or defamatory matter as prerequisite to commencement of action on account of any libelous or defamatory publication in any newspaper, magazine, periodical, radio or television station; providing what shall constitute a correction of such libelous or defamatory matter; providing that a correction, published in accordance with the provision of this act shall constitute a defense against the recovery of any damages except actual damages, provided the publication was made under honest mistake or misapprehension; providing that such correction shall be competent and material in mitigation of actual damages to the extent such correction does so mitigate such damages; repealing all acts or parts of acts in conflict herewith.".....	221, 223, 259, 270, 278, 281, 578, 607, 627.

No.	Title of Bill	Page
54	Introduced by Spahr: A bill for an act entitled: "An act to amend sections 43-103 and 43-104, R.C.M. 1947, relating to the number of representatives from each county by increasing in certain instances the number of representatives from some counties.".....	53, 195.
55	Introduced by Barnard: A bill for an act entitled: "An act to amend section 75-3414 of the Revised Codes of Montana, 1947, as amended by chapter 189 of 1951 Montana Session Laws, relating to budgets and levies for transportation for various types of school districts and providing that a reserve fund shall be included as a part of such transportation budgets to provide funds for maintaining transportation service from July 1 to November 30 of the next succeeding school year and limiting the size of such reserve fund.".....	54, 213.
56	Introduced by Hibbard, Gustafson: A bill for an act entitled: "An act to provide for issuance of travel permit certificate for registered purebred show cattle being transported for show purposes."	54, 76, 86, 92, 101, 110, 114, 117, 214, 221, 231, 336.
57	Introduced by Hibbard, Gustafson: A bill for an act entitled: "An act to amend section 46-1005 of the Revised Codes of Montana, 1947, by enlarging the definition of an estray to include sheep.".....	54, 76, 86, 92, 96, 98, 192.
58	Introduced by Reinecke: A bill for an act entitled: "An act changing the dates for assessment and equalization of property and the budget system; amending sections 84-406, 84-409, 84-410, 84-441, 84-503, 84-510, 84-601, 84-3808, 84-3809, 84-4209, 84-6012, 84-6013, 16-1903, 16-1904, 75-1705, 75-1706, 75-1708, 75-1710, 75-1712, 84-4005, 84-4006 and 84-4007, R.C.M. 1947, to make January 1 the assessment date, to have the assessor complete his assessment book by the third Monday in June, to have the county boards of equalization meet the fourth Monday in June, to have the county commissioners adopt preliminary budgets by the third Monday in June and final budgets by the third Monday in July, to have the county assessor compute taxes and return assessment books to county clerks by the third Monday in September, to have county clerks deliver assessment books to county treasurers by the fourth Monday in September, to have school preliminary budgets approved by the second Monday in June, to have school final budgets approved by the second Monday in July, and to implement these changes where necessary in related statutes."	54, 196.
59	Introduced by Leuthold, Kolar, Pierce: A bill for an act entitled: "An act to amend section 32-2144, R.C.M. 1947, as enacted by section 41, chapter	

No.	Title of Bill	Page
	263, Laws of 1955, relating to speed restrictions and basic rule for speed; establishing a basic daylight speed limit; providing that all acts or parts of acts in conflict herewith are hereby repealed."	55, 171, 187, 200, 201, 213, 238, 242, 251.
60	Introduced by Leuthold, Thompson: A bill for an act entitled: "An act to amend section 53-427, R.C.M. 1947, relating to the custody, disposition and return of security posted in compliance with safety responsibility provisions; providing that after five (5) years unclaimed deposits shall be transferred to the state general fund; repealing all acts or parts of acts in conflict herewith."	55, 70, 86, 92, 96, 99, 249.
61	Introduced by Conklin, Broeder: A bill for an act entitled: "An act to amend section 41-802 of the Revised Codes of Montana, 1947, pertaining to the establishment of the bureau of vocational rehabilitation by changing the name."	55, 171, 176, S-196.
Sub. 61	Introduced by Committee on State Administration: A bill for an act entitled: "An act relating to vocational rehabilitation and education; changing the name of the Bureau of Vocational Rehabilitation to the Division of Vocational Rehabilitation by amending sections 41-801, 41-802, 41-803, 41-804 and 41-805, R.C.M. 1947."	196, 199, 252, 258, 262, 481, 498, 529, 577.
62	Introduced by Wright, Higham, Bentz, Kolar, Hawks, Lewis, Leuthold, Stranahan: A bill for an act entitled: "An act to amend section 84-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 88 of the Laws of 1957, relating to classification of taxable property in Montana; providing for removal of livestock, poultry and the unprocessed products of both from class three classification and including same in class two classification; containing a repealing clause."	55, 95, 106, 118, 131, 169, 181, 183, 185, 295.
63	Introduced by Bardanouve, Schwinden: A bill for an act entitled: "An act creating a department of natural resources to develop an integrated state policy for the conservative use and orderly development of the natural resources of the state: placing the department under the supervision of a commissioner of natural resources to be appointed by the Governor, to serve at the pleasure of the Governor and to be responsible to the Governor; abolishing the state water conservation board, the Montana grass conservation commission, the state soil conservation committee and	

No.	Title of Bill	Page
	the council on natural resources and development and transferring the powers and duties of these agencies to the department of natural resources; providing that the state engineer shall be appointed by the commissioner of natural resources; changing the membership of the state planning board; and amending sections 89-101, 89-102, 89-104, 89-105, 89-106, 89-107, 89-108, 89-109, 89-111, 89-112, 89-113, 89-114, 89-115, 89-116, 89-116.2, 89-117, 89-118, 89-119, 89-120, 89-121, 89-122, 89-123, 89-124, 89-125, 89-126, 89-127, 89-131, 89-132, 89-133, 89-134, 89-135, 89-136, 89-137, 89-138, 89-140, 89-401, 89-402, 89-1001, 89-847, 89-848, 89-849, 89-851, 81-2006, 76-103, 76-104, 76-105, 76-106, 76-107, 76-111, 76-114, 76-115, 76-117, 46-2301, 46-2302, 46-2307, 46-2308, 46-2309, 46-2310, 46-2311, 46-2312, 46-2313, 46-2314, 46-2315, 46-2316, 46-2317, 46-2322, 46-2323, 46-2325, 46-2318, 46-2331, 46-2332, 89-302; and repealing sections 89-103, 89-139, 89-403, 46-2303, 46-2304, 46-2305, 46-2306, 82-3001, 82-3002, and 82-3003, R.C.M. 1947."	56, 196.
64	Introduced by Schwinden, Nichols, Harper, Shelden, Edwards, Lewis, Kvaalen: A bill for an act entitled: "An act to amend sections 43-103 and 43-104, R.C.M. 1947, to provide for the reapportionment of the House of Representatives in accordance with the 1960 census and a new formula."	57, 195.
65	Introduced by Aasheim, Beam, Eskildsen: A bill for an act entitled: "An act to permit the governing body of any political subdivision of the State of Montana, county, city, town, school district, high school district, or county high school within the State of Montana to require the officer in charge of funds to the credit of said political subdivision to invest surplus funds in short term obligations of the United States of America, or in savings accounts or certificates of deposit in insured banks within the State of Montana; repealing all acts and parts of acts in conflict herewith."	57, S-287.
Sub. 65	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act relating to school district funds realized from bond sales for purposes of construction; requiring the officer in charge of such funds to invest idle funds, when requested by the school district governing body, in short-term obligations of the United States of America, and to credit interest earned to such school district, notwithstanding other provisions; amending sections 16-2050 and 75-3922, R.C.M. 1947; repealing all acts and parts of acts in conflict herewith."	287, 290, 309, 340, 346, 350, 518, 547, 548, 553, 615, 656, 657, 674.
66	Introduced by Spahr, Aasheim, Haines, Rosell, Reed: A bill for an act entitled: "An act to amend sec-	

No.	Title of Bill	Page
	<p>tions 75-2516 and 75-2518 of the Revised Codes of Montana of 1947, as amended by chapter 187, Laws of 1959, relating to classes of certificates for teaching and providing that after July 1, 1962, applicants for elementary provisional certificates must have completed a four-year college program and hold a bachelor's degree, and containing a repealing clause."</p>	57, 219, 234.
67	<p>Introduced by McOmber, Pierce, Lewis: A bill for an act entitled: "An act to amend section 53-119.1 of the Revised Codes of Montana, 1947, relating to the payment of fees and issuance of special permits on vehicles engaged in a single movement on the public highways of this state; providing for the fees for issuance of special permits; providing that such permits be for the transit of the vehicle only and for one (1) transit only; providing that the special permits shall be issued by the county treasurer; providing that personal property taxes must be paid before any permit shall be issued; providing that the fees collected under this act shall belong to the general road fund of the county; providing that furnishings of mobile house trailers may be moved under such permits; providing for a penalty; providing for the effective date of this act; and repealing all acts and parts of acts in conflict herewith."</p>	57, 93, 166, 187, 200, 208, 211, 407.
68	<p>Introduced by Lucas, Beam, Haines, Bush, Bradford, Reed, Page: A bill for an act entitled: "An act to amend section 53-122 of the Revised Codes of Montana, 1947, as amended by chapter 41 of the Session Laws of the Thirty-fourth Legislative Session, 1959, relating to registration fees of motor vehicles, fees therefor, disposal of the proceeds of such fees, including dealers registration and transfer thereof, providing for exemption for public owned vehicles; license or registration fee for trailers, house trailers, semi-trailers and tractors. definition for same; providing for transfer of funds from the motor vehicle fund of the registrar of motor vehicles to the motor vehicle recording fund or motor vehicle administrative fund; providing for deposit of all fees, other than license fees, except dealer license fees, collected by the registrar of motor vehicles, in said motor vehicle recording fund for the payment of expenses of the maintenance and operation of the department of the registrar of motor vehicles; providing for the crediting of license or registration fees by the county treasurers to the motor vehicle license fund of the county; providing for the use of such fund; providing fifty (50) per cent of the net license fees derived from owners residing within the boundaries of incorporated cities and towns to be held by the county treasurer, segregated from other county road funds and designated as "municipal road fund", to be used in the incorporated</p>	

No.	Title of Bill	Page
	cities and towns for construction, repair and maintenance of streets in such cities and towns; providing the balance of such net fees to be transmitted to the county treasurer of the county from which the registration fee came, to be used by said county for construction, repair and maintenance of public highways except state and federal highways within the county; amending said section by including all incorporated cities and towns in the distribution of the net license fee returns in place of cities of population of thirty-five thousand (35,000) or more persons living in or within a radius of one (1) mile thereof, or cities having a population of ten thousand (10,000) or more and situate in a county which has an area of less than seven hundred fifty (750) square miles; repealing all acts or parts of acts in conflict herewith; providing for an effective date."	57, S-254.
Sub. 68	Introduced by Committee on Highways: A bill for an act entitled: "An act to amend section 53-122 of the Revised Codes of Montana, 1947, relating to registration fees on motor vehicles and the disposal of said fees; providing that twenty-five per cent (25%) of the net license fees derived from owners of motor vehicles residing within the boundaries of incorporated cities and towns in the State of Montana, other than the cities now covered by said section, shall be held by the county treasurer, segregated from other county road funds and designated as 'municipal road fund', to be used in said cities and towns for the construction, repair and maintenance of streets in said cities and towns; providing that the balance of said net fees shall be transmitted to the county treasurer of the county from which the registration fee came to be used by said county for construction, repair and maintenance of public highways, except state and federal highways, within said county; amending said section by deleting all reference to cities having a population of ten thousand (10,000) or more persons which are situate in the county which has an area of less than seven hundred fifty (750) square miles; repealing all acts or parts of acts in conflict herewith and providing for an effective date."	254, 256, 295, 304, 309, 313, 490.
69	Introduced by Haines: A bill for an act entitled: "An act repealing the so-called chain store license tax and other statutes relating to the application for a state store license by repealing sections 84-2401, 84-2402, 84-2403, 84-2404, 84-2405, 84-2406, 84-2407, 84-2409, 84-2410, 84-2411, 84-2412 and 84-2413, R.C.M. 1947."	58, 111.
70	Introduced by Wayrynen: A bill for an act entitled: "An act to lower the age qualifications of embalmers and funeral directors by changing the	

No.	Title of Bill	Page
	age qualifications of embalmers and funeral directors from twenty-one (21) years to nineteen (19) years, by amending sections 82-703 and 82-704, R.C.M. 1947."	58, 91.
71	Introduced by Hall, Harper: A bill for an act entitled: "An act to amend sections 66-505, 66-510, 66-512, 66-513 and 66-515, Revised Codes of Montana, 1947, relating to fees for application to practice chiropractic, fees for restoration of license, fees for renewal of license, per diem and mileage, fees for reciprocal license, and repealing of all acts and parts of acts in conflict herewith."	58, 93, 288, 309, 321, 340, 346, 350, 518, 539, SA-558, 582, 583, 627.
72	Introduced by Leuthold: A bill for an act entitled: "An act to amend section 32-2174, of the Revised Codes of Montana, 1947, as amended providing that the state highway commission shall specify the color, size, shape, and legend of yield signs; repealing all acts or parts of acts in conflict herewith."	58, 96, 182, 191, 200, 201, 208, 578, 591, SA-598, 621, 622, 627.
73	Introduced by Barnard, Kvaalen: A bill for an act entitled: "An act providing for the administration and supervision of the University of Montana and repealing sections 75-107, 75-301, 75-303, 75-304, 75-305, 75-306, 75-307, 75-308, 75-309, 75-310, 75-311, 75-312, 75-401, 75-402, 75-402.1, 75-403, 75-403.1, 75-404, 75-405, 75-406, 75-407, 75-408, 75-409, 75-410, 75-411, 75-412, 75-413, 75-414, 75-415, 75-416, 75-502, 75-505, 75-506, 75-506.1, 75-507, 75-508, 75-509, 75-512, 75-515, 75-602, 75-603, 75-702, 75-902, 75-904, 75-905, 75-906, 75-907, 75-1003, 75-1007, 75-1103 and 75-1104, R.C.M. 1947."	58, 244.
74	Introduced by Barnard: A bill for an act entitled: "An act relating to powers of the state board of education over public schools; providing that the board has power to prescribe general policies for the supervision of public schools, to prescribe the use of courses of study, to prescribe standards of promotion for high schools and to accredit high schools by amending sections 75-1302 and 75-1311, R.C.M. 1947."	59, 123.
75	Introduced by Reed, Haines, Aasheim, Page, Barnard, Kvaalen, Twedt, Spahr, Rosell: A bill for an act entitled: "An act to amend section 75-3611 of the Revised Codes of Montana of 1947, relating to definitions used in the school foundation financial programs and providing that a known increase in ANB shall be allowed for budget purposes subject to reduction to actual increase on	

No.	Title of Bill	Page
	or before the first day of October by the county superintendent of schools, and containing a repealing clause."	59, 170.
76	Introduced by Schye, Laas, Healey, Asbjornson, Moudree: A bill for an act entitled: "An act to repeal section 16-1621, Revised Codes of Montana, 1947, relating to the payment of contracts for the construction and maintenance of improvements in rural improvement districts; to amend section 16-1620, Revised Codes of Montana, 1947, relating to the form and terms and use of bonds and warrants of rural improvement districts; providing that the bonds and warrants of rural improvement districts shall be sold by the board of county commissioners to the highest and best bidder and payment of contracts of rural improvement districts made from the proceeds of such sale of bonds and warrants; prescribing the procedure to be followed in connection with the sale of such bonds and warrants; repealing all acts and parts of acts in conflict herewith."	59, 90, 101, 107, 110, 122, 131, 132, 266, 280, 294, Veto-356.
77	Introduced by Mathers, Bush: A bill for an act entitled: "An act to amend section 26-201 of the Revised Codes of Montana, 1947; as amended by section 1, chapter 37, Laws of 1949; as amended by section 1, chapter 36, Laws of 1951; as amended by section 1, chapter 121, Laws of 1951; as amended by section 1, chapter 19, Laws of 1953; as amended by section 1, chapter 34, Laws of 1959; relating to definitions of game and nongame birds, and other terms used in the fish and game statutes to provide for placing mourning doves on the migratory game bird list."	59, 77, 85, 106.
78	Introduced by Higham: A bill for an act entitled: "An act to amend section 75-1620, Revised Codes of Montana, 1947, relating to the expenses of election; and containing a repealing clause."	59, 170, 187, 200, 201, 209, 506.
79	Introduced by Coulter, Bush: A bill for an act entitled: "An act to amend section 26-307 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 158, Laws of 1955; relating to waste of fish or game, hunting or fishing during closed seasons, killing more than one game animal, exceptions—to provide that these provisions do not apply to black and brown bear in addition to grizzly bear."	63, 77, 86, 93, 97, 124, 173, 188, 192, 200, 201, 215, S-328.
Sub. 79	Introduced by the Fish and Game Committee: A bill for an act entitled: "An act relating to restriction on taking fish and game; amending	

No.	Title of Bill	Page
	section 26-307, Revised Codes of Montana, 1947, to provide that brown and black bear, in addition to grizzly bear, may be killed as trophy animals, so that only the head or hide of such bear need be removed and taken."	328, 339, 354, 365, 373, 386, 387, 388, 464, 480, 529, 530.
80	Introduced by Conklin, Haughey: A bill for an act entitled: "An act to amend sections 11-1701, 11-1702, and 11-1704, of the Revised Codes of Montana, 1947, relating to municipal courts—cities where creation authorized—adoption of provisions concerning, jurisdiction, and qualifications and salary of municipal judges, and repealing all acts and parts of acts in conflict herewith."	63, S-90.
Sub. 80	Introduced by Judiciary Committee: A bill for an act entitled: "An act to amend sections 11-1702 and 11-1704, of the Revised Codes of Montana, 1947, relating to municipal courts, adoption of provisions concerning jurisdiction and qualifications and salary of municipal judges, and repealing all acts and parts of acts in conflict herewith."	90, 91, 131, 173, 191, 194, 199, 266.
81	Introduced by Wayrynen, Abel: A bill for an act entitled: "An act to amend section 78-202, Revised Codes of Montana, 1947, relating to the purpose and use of the Montana Veterans and Pioneers Building, by providing for the use of same by World War I veterans, of Montana, and containing a repealing clause."	63, 110, 182, 191, 194, 205, 481, 498, 529, 577.
82	Introduced by Haines, Sheldon, Weeks: A bill for an act entitled: "An act to amend section 44-127, R.C.M. 1947, relating to creation of the state library extension commission; to amend section 44-128, R.C.M. 1947, relating to employment by the state library extension commission of its employees; and to amend section 44-129, R.C.M. 1947, relating to powers and duties of the commission."	63, S-233.
Sub. 82	Introduced by the Committee on State Administration: A bill for an act entitled: "An act to amend section 44-127, R.C.M. 1947, relating to creation of the state library extension commission; to amend section 44-128, R.C.M. 1947, relating to employment by the state library extension commission of its employees; and to amend section 44-129, R.C.M. 1947, relating to powers and duties of the commission."	233, 237, 259, 277, 278, 285, 481, 498, 529, 577.
83	Introduced by Bush, Seymour, Pierce: A bill for an act entitled: "An act to authorize the state fish and game commission to issue special non-resident	

No.	Title of Bill	Page
	black or brown bear licenses, fixing the fees, tagging requirements, and other privileges under such license."	63, 77, 86, 92, 93, 106, 122, 125, 130, 280, 299, SA-305, 324, 396, 435.
84	Introduced by Judge: A bill for an act entitled: "An act to amend section 32-1607 of the Revised Codes of Montana, 1947, as amended, relating to the employment of personnel by the state highway commission; providing for designation of the organization of such personnel as the Montana highway department; and repealing all acts and parts of acts in conflict herewith."	63, 96, 110, 122, 125, 130, 407, 592.
85	Introduced by Judge: A bill for an act entitled: "An act to amend section 32-1610 of the Revised Codes of Montana relating to the establishment of a maintenance division within the organization of the Montana highway department subject to the approval and control of the state highway department; repealing all acts or parts of acts in conflict herewith."	63, 96, 182, 191, 194, 206, 407.
86	Introduced by Blewett, Anderson (Yellowstone), Bradford, Conklin, Murray, Cerovski, Stimatz, Haughey, Daniels: A bill for an act entitled: "An act providing for the codification and general revision of the laws relating to rules of pleading, practice and procedure in civil cases in the courts of the State of Montana for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; providing for an effective date of this act; repealing the following sections of the Revised Codes of Montana, 1947: section 93-2303; section 93-2801; section 93-2805; section 93-2811; section 93-2812; section 93-2816; section 93-2818; section 93-2821; section 93-2822; sections 93-2824 through 93-2826; section 93-2905; section 93-3003; section 93-3006; section 93-3007; sections 93-3013 through 93-3015; section 93-3017; section 93-3018; sections 93-3101 through 93-3103; sections 93-3201 through 93-3203; sections 93-3301 through 93-3306; section 93-3401; section 93-3402; section 93-3404; section 93-3405; section 93-3408; sections 93-3410 through 93-3412; section 93-3415; sections 93-3501 through 93-3506; sections 93-3601 through 93-3604; section 93-3701; sections 93-3801 through 93-3803; sections 93-3806 through 93-3808; sections 93-3811 through 93-3813; sections 93-3815 through 93-3819; section 93-3820 as amended by chapter 16, Laws of 1953; sections 93-3901 through 93-3905; section 93-3907; section 93-3909; section 93-4120; section 93-4701; sections 93-4703 through 93-4705; section 93-4708; section 93-4709; section 93-4801; section 93-4902; section 93-4904; section 93-4905 as amended by	

No.	Title of Bill	Page
	chapter 84, Laws of 1949; section 93-4906; section 93-4908; section 93-4909; sections 93-5012 through 93-5014; subsection (5) of section 93-5101; section 93-5111; section 93-5201; section 93-5202; section 93-5301; section 93-5303; sections 93-5401 through 93-5403; sections 93-5405 through 93-5407; sections 93-5410 through 93-5412; section 93-5502; section 93-5605; section 93-5701; section 93-5703; section 93-8007 as amended by chapter 75, Laws of 1959; sections 93-8008 through 93-8010; section 93-8201; section 93-8301; section 93-8401; section 93-8403; sections 93-8501 through 93-8504; section 93-8507; section 93-8607; section 93-8705; section 93-1501-5; sections 93-1801-1 through 93-1801-3; section 93-1801-4 as amended by chapter 9, Laws of 1953; sections 93-1801-5 through 93-1801-16; section 93-1901-9; sections 93-2301-1 through 93-2301-7; repealing all acts and parts of acts in conflict herewith."	64, 91, 134, 173, 176, 181, 238, 271, 294, 356.
87	Introduced by Haines, Emmons, Wayrynen, E. R. Sullivan, Hazelbaker, Page: A bill for an act entitled: "An act amending section 86-701, R.C.M. 1947, enacted as section 1, chapter 232, Laws of 1953, relating to contracts for future funeral services, burial or cremation, and under which personal property will be delivered or services furnished, and providing moneys paid under such contracts, and accruing thereon, shall be placed in trust."	64, 220.
88	Introduced by Aasheim, Bradford, Nichols, Haines, Lucas, Stranahan, Stimatz, Kvaalen, Judge, Wayrynen, Lord, Baldwin, Loman, Hawks, Higham, Hanks, Daniels: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 9, article XIX of the Constitution of the State of Montana, relating to constitutional amendments, to provide that ten (10) amendments may be submitted at the same election; and containing a repealing clause."	64, 332, 357, 402, 404, 415, 583.
89	Introduced by Dykstra, Haines, Daniels: A bill for an act entitled: "An act to amend section 84-1509, Revised Codes of Montana, 1947, relating to corporation license tax to provide that corporations may, without authorization of the state board of equalization, make a consolidated return."	64, 293, 295, 324, 353, 364, 385, 396, 400, 435, 448, 505.
90	Introduced by Dykstra, Haines, Daniels: A bill for an act entitled: "An act to amend section 40-2821, Revised Codes of Montana, 1947, as enacted by section 66, chapter 286, Laws of 1959, relating to the imposing of licenses, fees, and taxes upon	

No.	Title of Bill	Page
	insurers and for the disposition thereof, to provide for an increase in the tax on net premiums received by insurers and to provide a lesser tax on net premiums received by insurers investing their assets in Montana securities."	65, S-293.
Sub. 90	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 66, chapter 286, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the tax on net premiums of insurers; increasing from two per cent to two and one-quarter per cent the tax on such premiums for each of the calendar years 1961 and 1962; and repealing all acts and parts of acts in conflict herewith."	293, 294, 309, 345, 346, 351, 530, 576, 627.
91	Introduced by Conklin: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 24 of article III of the Constitution of the State of Montana, relating to the power of the Legislative Assembly to enact laws for the punishment of crime by providing that the Legislative Assembly shall not have the power to provide for punishing offenses by death, and repealing all acts and parts of acts in conflict herewith, and providing for the effective date of this act."	65, 332, 353, 386, 390, 401.
92	Introduced by Schwinden: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional status of state and county boards of equalization by deleting specific references in the Constitution to such boards by repealing section 15, article XII and by amending sections 9 and 16, article XII."	65, 332, 346, 365, 377, 382, 383, 473.
93	Introduced by Schwinden: A bill for an act entitled: "An act amending section 84-701, R.C.M. 1947, relating to members of the state board of equalization; to delete reference to the Montana Constitution and to remove certain obsolete language."	65, 393, 404, 431, 436, 439, 490.
94	Introduced by Weeks, Lucas, Stimatz, Haines, Emmons, Daniels: A bill for an act entitled: "An act providing for a license for physical therapist, defining physical therapy and other terms; providing for qualifications and examinations; providing for annual renewal of licenses and temporary licenses; providing for a short title; directing that invalidity of part of this act shall not affect or impair the remainder; providing for reciprocity between Montana and other states or territories; containing a repealing clause, and penalties for the violation of this act."	68, 288, 309, 345, 346, 352, 464, 480, 481, 529.

No.	Title of Bill	Page
95	Introduced by Seymour, Bentz: A bill for an act entitled: "An act to amend section 32-2114, of the Revised Codes of Montana, 1947, as amended defining a certain term used in the act to-wit: "state highway"; repealing all acts or parts of acts in conflict herewith."	68, 96, 114, 169, 173, 179, 578, 591, 592, 612, 630, 656.
96	Introduced by Seymour, Bentz: A bill for an act entitled: "An act to amend section 32-2145, of the Revised Codes of Montana, 1947, as amended, providing for the further definition of the word "highway" wherever it may appear in the section by the insertion of the words "state highway" in lieu thereof; repealing all acts or parts of acts in conflict herewith."	68, 96, 119, 170, 173, 178, 578, 591, SA-601, 621, 622, 627.
97	Introduced by Seymour, McOmber, Lundgren: A bill for an act entitled: "An act to amend section 32-2142(2) R.C.M. 1947, as enacted by section 39, chapter 263, Laws of 1955, as amended by section 1, chapter 194, Laws of 1957, relating to persons operating motor vehicles while under the influence of intoxicating liquor or of drugs; providing for the use of chemical analysis of blood, urine, breath or other bodily substance to measure degree of intoxication of drivers; providing that milligrams of alcohol per one hundred (100) milligrams of blood shall be basis of per cent of alcohol in the blood; providing concurrent jurisdiction over violations occurring within the limits of municipalities, pertaining, respectively to driving while intoxicated; providing for the imposition of fines and penalties by municipalities for such violations; deleting that portion of section which authorizes the board to issue restricted license; repealing section 32-2142 (1) as enacted by section 39, chapter 263, Laws of 1955, as amended by section 3, chapter 201, Laws of 1957 and all acts or parts of acts in conflict herewith."	68, 220, 259, 269, 285, 299, 304, 307, 517, 528, 575, 655.
98	Introduced by Seymour, McOmber, Lundgren: A bill for an act entitled: "An act to amend section 31-124, R.C.M. 1947, relating to definition of suspension, revocation and cancellation; providing exception for persons whose driving privilege is revoked for first offense of driving while under the influence of intoxicating liquor; providing that all acts or parts of acts in conflict herewith are hereby repealed."	68, 242, 270, 285, 299, 304, 307, 517, 528, 575, 655.
99	Introduced by Seymour, McOmber, Lundgren: A bill for an act entitled: "An act to amend section 31-	

No.	Title of Bill	Page
	149, R.C.M. 1947, as amended by section 1, chapter 126, Laws of 1957, relating to period of suspension and revocation; deleting provision which makes an exception to suspension under section 32-1202, R.C.M. 1947; excepting sections 31-148, 53-424 and 53-430, R.C.M. 1947 from the provisions of this section; establishing periods of suspension and revocation for the offense of driving while under the influence of intoxicating liquor or drugs, or combination thereof; repealing all acts or parts of acts in conflict herewith."	68, 248, 278, 299, 304, 307, 518, 539, SA-559, 582, 583, 627.
100	Introduced by Shelden, Stimatz, Mernin, Harper, Barnard, Bradford: A bill for an act entitled: "An act to amend section 87-109, Revised Codes of Montana, 1947, as last amended by chapter 171, Montana Session Laws of 1957, relating to unemployment compensation fund contributions, restoring contribution rates previously in effect, providing for minimum contributions and restoring experience rating rates; providing fund protection based on fund experience; increasing taxable wages; repealing conflicting acts; providing an effective date."	68, 86.
101	Introduced by Shelden, Stimatz, Mernin, Harper, Barnard, Bradford: A bill for an act entitled: "An act to amend sections 87-103, 87-104, and 87-105, Revised Codes of Montana, 1947, as last amended by chapter 140, Montana Session Laws of 1957, relating to unemployment compensation benefits, restoring benefit formula, increasing maximum potential benefit and maximum potential duration, reducing minimum benefits, and restoring benefit eligibility conditions; repealing conflicting acts; providing an effective date."	69, 86.
102	Introduced by Haines: A bill for an act entitled: "An act relating to county planning and zoning districts, city and town zoning commissions, and city or city-county planning boards; providing powers and procedures for planning and zoning by creating new sections, by amending sections 16-4103, and 16-4106, R.C.M. 1947, and by repealing sections 11-3852, 11-3858, 16-4102, and 16-4105, R.C.M. 1947, and section 1, chapter 171, Laws of 1959, compiled as section 11-2710, R.C.M. 1947."	69, 253, 278, 299, 303, 304, 320, 342, 345, 346, 353, 396, 399, 594.
103	Introduced by Kvaalen: A bill for an act entitled: "An act to repeal section 75-4611, Revised Codes of Montana, 1947, relating to restrictions on voting special levies for certain high schools."	69, 171.
104	Introduced by Stranahan, Schye, Gustafson, Swanz:	

No.	Title of Bill	Page
	A bill for an act entitled: "An act to amend section 11-1024, R.C.M. 1947, relating to group insurance coverage for counties, cities and towns to provide that any company or organization underwriting this coverage must be licensed and governed by the insurance laws of the State of Montana."	73, 125.
105	Introduced by Burrell, Bush, Seymour: A bill for an act entitled: "An act to amend section 26-114 of the Revised Codes of Montana, 1947, as amended by chapter 115 of the Laws of 1955, relating to ex officio state fish and game wardens and their appointment and qualifications and providing that all acts and parts of acts in conflict herewith are hereby repealed."	73, 203.
106	Introduced by T. J. Sullivan, Daniels, Healy, Picard, Emmons, Wayrynen, Mernin, E. R. Sullivan, Stimatz, Lombardi: A bill for an act entitled: "An act relating to establishment of airports by counties and cities; extending the scope of the act to permit a county, city or town to act jointly with any other county, city or town to establish and operate an airport by amending sections 1-801, 1-802 and 1-803, R.C.M. 1947."	73, 167, 238, 259, 277, 286, 291, 517, 553, 554, 581, 608.
107	Introduced by Gustafson, Kvaalen, Spahr: A bill for an act entitled: "An act relating to the six units of the University of Montana; eliminating conflicting, redundant and obsolete provisions by generally revising chapters 5, 6, 7, 9, 10 and 11, R.C.M. 1947, by amending sections 75-501, 75-503, 75-504, 75-510, 75-513, 75-513, 75-601, 75-605, 75-608, 75-609, 75-701, 75-703, 75-704, 75-706, 75-708, 75-709, 75-714, 75-717, 75-723, 75-735, 75-737, 75-901, 75-1002, 75-1006 and 75-1102, R.C.M. 1947, and by repealing sections 75-511, 75-514, 75-604, 75-606, 75-710, 75-710.1, 75-710.2, 75-710.3, 75-710.4, 75-711, 75-712, 75-713, 75-715, 75-716, 75-724, 75-725, 75-726, 75-727, 75-728, 75-729, 75-730, 75-731, 75-903, 75-1001 and 75-1101, R.C.M. 1947."	74, 232.
108	Introduced by Edwards, Kvaalen: A bill for an act entitled: "An act to provide for the repeal of Chapter 26 of the Revised Codes of Montana, 1947, being sections 75-2601, 75-2602, 75-2603, 75-2604, 75-2605, 75-2606, 75-2607, 75-2608, relating to teachers' institutes and summer schools."	74, 171, 187, 200, 201, 209, 358, 371, 396, 463.
109	Introduced by Stranahan, Asbjornson, Aasheim: A bill for an act entitled: "An act to amend section 16-1706 of the Revised Codes of Montana, 1947, relating to noxious weed control, to provide for encompassing state institutional and custodial lands within the purview of the weed control law; and providing a repealing clause."	74, 100, 119, 169, 173, 178, 221, 234, 294, 336.

No.	Title of Bill	Page
110	Introduced by Stranahan, Asbjornson, Eskildsen: A bill for an act entitled: "An act to amend section 16-1713 of the Revised Codes of Montana, 1947, relating to weed control and weed seed extermination supervisors, to provide that the board of weed control and weed extermination supervisors shall receive per diem at the prevailing rate for employees within the county; and providing a repealing clause."	74, 100, 114, 169, 173, 178, 348, 405, 426, 441, 453, SA-456, 480, 481, 529, 545.
111	Introduced by Higham, Melcher: A bill for an act entitled: "An act to provide that a city or town may invest moneys in special funds for which there is no immediate demand, in the purchase of outstanding city or town warrants, providing the warrants that may be so purchased, and the the manner in which such warrants shall be purchased, and repealing all acts or parts of acts in conflict herewith."	74, 107, 119, 170, 186, 187, 189, 280, 345, SA-363, 378, 379, 461, 481.
112	Introduced by Reinecke, Reed, Leuthold, Spahr: A bill for an act entitled: "An act to amend section 31-145, R.C.M. 1947, as amended by section 1, chapter 165, Laws of 1957, relating to requirement that courts forward licenses and reports of conviction to board; requiring courts to forward records of bail forfeitures not vacated; providing that bail of collateral forfeiture not vacated will be equivalent to conviction for purpose of act; providing that all acts or parts of acts in conflict herewith are hereby repealed."	74, 174, 186, 200, 201, 209, 337, 355, 396, 463.
113	Introduced by Hilling, Beam, Bradford, Conklin, Rosell: A bill for an act entitled: "An act to amend sections 11-725, 11-726, 11-728, 11-729, and 11-731 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city and town clerks, and city attorneys; providing for maximum salaries of mayors, police judges, city attorneys, and city clerks in first class cities having populations in excess of fifty thousand (50,000) persons and in first class cities having populations of between twenty-five thousand (25,000) and fifty thousand (50,000) persons, all as determined by the last federal census; providing for maximum salaries of mayors and aldermen, police judges, city attorneys and city clerks in all first class cities having a population of less than twenty-five thousand (25,000) persons as determined by the last federal census;	

No.	Title of Bill	Page
	providing for the maximum salaries of city and town treasurers in all first class cities and providing for the maximum salaries of mayors, aldermen, police judges, city and town treasurers, city and town clerks, and city attorneys in all second class and third class cities and towns; repealing all acts and parts of acts in conflict herewith; providing for an effective date."	74, 107, 165, 186, 187, 190, 555, 579, SA-585, 621, 622, 627.
114	Introduced by Hilling, Pierce, Bradford, Hanks: A bill for an act entitled: "An act to amend section 59-510, Revised Codes of Montana, 1947, as amended by Chapter 253, Laws of Montana, 1957, by providing that salaried county and city employees shall work a minimum of forty (40) hours per week."	75, 106, 182, 191, 194, 206, 358, 405, 426, 441, 453, SA-456, 480, 529, 530.
115	Introduced by Johnson, Thompson, Hanks, Hibbard, Dykstra, Judge: A bill for an act entitled: "An act to amend section 11-3215, Revised Codes of Montana, 1947, relating to nomination of candidates at primary elections held under the commission-manager form of municipal government, by providing for the dispensing of a primary election for the nomination of candidates for the office of commissioner in such municipalities when the number of candidates legally qualified for the office of commissioner at such primary election does not exceed twice the number of vacancies in the commission to be filled; repealing all acts and parts of acts in conflict herewith."	75, 125, 173, 191, 194, 206, 413, 451, 452, 461, 504.
116	Introduced by Schye, Gustafson, Stranahan, Swanz, Nelstead, Melcher, Keller, Blewett: A bill for an act entitled: "An act to amend section 43-103, Revised Codes of Montana, 1947, as amended by section 1 of chapter 191, Laws of Montana, 1951 and to amend section 43-104, Revised Codes of Montana 1947, as amended by section 2 of chapter 171, Laws of Montana, 1951, for the purpose of apportioning the membership of the House of Representatives in the Legislative Assembly in accordance with the federal census enumeration of the inhabitants of the several counties of Montana taken in 1960."	75, 194, 232, 252, 257, 258, 270, 275, 490, 491, 579, 591, 592, 612, 629, 646, 647, 653, 657, 661, 679.
117	Introduced by Beam: A bill for an act entitled: "An act relating to the interest and income funds of	

No.	Title of Bill	Page
	state institutions; amending sections 79-1401, 79-1402 and 79-1403, R.C.M. 1947, and repealing sections 79-1404 and 79-1405, R.C.M. 1947 to delete certain obsolete language and to eliminate the duties of institutional executive boards relating to such funds."	75, 208, 360, 391, 406, 412, 417, 517, 528, 575, 609.
118	Introduced by Etchart, Barnard, Higham: A bill for an act entitled: "An act to amend section 46-2305 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 13, Session Laws of 1949; section 1, chapter 124 Session Laws of 1953; section 2, chapter 257, Laws of 1955, relating to the compensation of the secretary; section 46-2331 of the Revised Codes of Montana, 1947, relating to the fee imposed by the commission against the districts; containing a repealing clause."	75, 374, 396, 411, 412, 423, 545, 546, 578, 591, SA-599, 650, 651, 666.
119	Introduced by Hanks, Broeder: A bill for an act entitled: "An act to amend section 5 of chapter 7, Laws of 1959 (designated as section 75-5205, Revised Codes of Montana, 1947, 1959 supplement), relating to the composition of the advisory board of the Montana law enforcement academy; to provide that a representative of the federal bureau of investigation and a representative of the Montana police protective association be included on the advisory board of the Montana law enforcement academy."	75, 171, 187, 200, 201, 210, 337, 355, 396, 463.
120	Introduced by Wayrynen, Jensen (Mineral), Reincke: A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 193 of the Montana Session Laws of 1955, relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto, to provide for the allowance of fishing with salmon eggs by deleting the restriction against it; containing a repealing clause and providing an effective date."	77, 124, 173, 191, 194, 207, 266.
121	Introduced by Conklin, Spahr: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article XVI of the constitution of the State of Montana, relating to counties—municipal corporations and offices, by adding thereto two new sections to be known and designated as section 9 and section 10 of article XVI, relating to home rule for municipal corporations; section 9 providing for the adoption by any municipal corporation of a home rule charter of government and	

No.	Title of Bill	Page
	for the amendment or repeal of the same, providing for the manner of adoption, amendment or repeal of a home rule charter, including the procedure for the election of a charter commission and for the submission of all proposals for adoption, amendment or repeal of a home rule charter to the qualified electors of the municipal corporation in which the adoption, amendment or repeal of a home rule charter is proposed, and for the implementation of the foregoing by the legislature, or if it does not act, by the governing body of the municipal corporation; and section 10 establishing the powers, functions and limitations of municipal corporations adopting home rule charters, and establishing the right of the legislature to deny certain powers by statute to home rule municipal corporations."	77, 242, 249, 278, 299.
122	Introduced by Abel, Broeder, Pierce, Wayrynen: A bill for an act entitled: "An act to amend section 32-1014, Revised Codes of Montana, 1947, by adding subsection (a), providing for the highway commission to cause trash containers to be placed along national highways in Montana, and providing further that said containers shall be marked 'keep Montana green and clean', and repealing all acts and parts of acts in conflict herewith."	78, 279.
123	Introduced by Judiciary Committee: A bill for an act entitled: "An act to amend Section 82-2002 of the Revised Codes of Montana, 1947, relating to the duties of the reporters of the decisions of the supreme court; and to amend section 82-2004 of the Revised Codes of Montana, 1947, relating to contracts for publication of the Montana reports by providing that the reporters shall make careful and accurate reports of the cases decided pursuant to rules and regulations promulgated by the justices of the supreme court; and that the contract for publication of such reports shall be for any term of years agreeable to the justices, provided that such term shall not exceed six (6) years nor be for less than one (1) year, and deleting the requirement for a six (6) year contract."	78, 91, 106, 118, 123, 130, 266, 280, 294, 356.
124	Introduced by Eskildsen, McOmber, Aasheim, Stranahan, Abel: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, drain ditches, borrow pits, slopes, road shoulders or other types of construction."	78, S-232.
Sub. 124	Introduced by the Committee on Highways: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly	

No.	Title of Bill	Page
	disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, borrow pits, slopes, road shoulders or other types of construction; and providing a repealing clause."	232, 237, 253, 269, 278, 283, 577, 591, SA-598, 621, 622, 627.
125	Introduced by Abel, Twedt, Haines, Eskildsen: A bill for an act entitled: "An act to amend Section 66-803 of the Revised Codes of Montana, 1947, relating to the practicing or teaching of cosmetology; providing that the completion of the course of cosmetology at Northern Montana College will qualify an applicant for examination."	78, 85, 413, 430, 445, 448, 450, 552.
126	Introduced by Bashor, Pierce, Laas: A bill for an act entitled: "An act relating to laborers' and materialmen's liens on oil and gas wells and pipelines; amending section 45-1011, R.C.M. 1947, enacted as section 11, chapter 143, Laws of 1957, to have a lien fail if an estate less than a fee is forfeited; containing a repealing clause; and fixing an effective date."	78, 187, 197, 242.
127	Introduced by Reinecke, Reed, Leuthold, Spahr, Smith: A bill for an act entitled: "An act to amend section 31-148, R.C.M. 1947, relating to authority of board to require re-examination; authorizing board to require incompetent or negligent drivers to appear for an interview; providing all acts or parts of acts in conflict herewith are hereby repealed."	78, 174, 186, 200, 201, 210, 272.
128	Introduced by Reinecke, Reed, Leuthold, Spahr: A bill for an act entitled: "An act to amend section 31-156, R.C.M. 1947, relating to parents or guardians allowing unauthorized minors to drive motor vehicles; prohibiting any person from allowing an unauthorized minor to drive a motor vehicle; repealing all acts or parts of acts in conflict herewith."	78, 175.
129	Introduced by Cerovski: A bill for an act entitled: "An act calling for the submission to the electors of the State of Montana of a proposal for the calling of a convention to revise, alter or amend the constitution of the State of Montana; and providing for the method of voting at such election."	79, 265.
130	Introduced by Hall, Falkenstern, Stearns: A bill for an act entitled: "An act to amend section 31-146, R.C.M. 1947, as amended by section 1, chapter 192, Laws of 1957; relating to mandatory revocation of license or driving privilege by board; requiring board to revoke license upon receiving record of conviction or forfeiture of bail not vacated for	

No.	Title of Bill	Page
	offenses when such conviction or forfeiture becomes final; providing that all acts or parts of acts in conflict herewith are hereby repealed.".....	79, 174, 194, 212, 217, 463, 496, SA-501, 544, 545, 581, 654.
131	Introduced by Mathers, Edwards, Anderson (Yellowstone), Bush, Goan, Gustafson, Smith, Sterns, Schye, Spilde, Rosell, Pierce, Beam, Hawks, Regan, Adams: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, as amended by section 1 of chapter 232, Laws of Montana, 1957, and section 1 of chapter 264, Laws of Montana, 1959, relating to corporation license tax and organizations exempt therefrom by deleting the exemption applicable to mutual savings banks not having capital stock representing shares, to domestic building and loan associations or cooperative banks, to labor, agricultural or horticultural cooperatives organized and operating on a cooperative basis for marketing products and purchasing supplies, to business done with the United States, or State of Montana or its political subdivisions; providing an effective date for this act; and repealing all acts and parts of acts in conflict therewith."	79, 265, 295, 309, 316, 578, 607, 608, 627.
132	Introduced by Conklin, Lucas, Hilling, Tim J. Sullivan: A bill for an act entitled: "An act to amend section 84-1813, Revised Codes of Montana, 1947, relating to the tax on diesel fuel and other volatile liquids; providing that the counties, incorporated cities and towns and school districts of this state shall be exempt from said tax; repealing all acts and parts of acts in conflict herewith and providing for an effective date."	80, 253, 278, 299, 300, 303, 513.
133	Introduced by Conklin, Lucas, T. Sullivan, Hilling: A bill for an act entitled: "An act to amend sections 84-1802, 84-1818, and 84-1819, Revised Codes of Montana, 1947, as now amended, relating to the gasoline dealers' license tax; providing that all gasoline sold or delivered by any dealer to any county, incorporated city or town or school district of this state shall be exempt from said tax; providing a procedure for issuance and use of governmental gasoline tax exemption certificates and permits; providing that the counties, incorporated cities and towns, and school districts of this state shall not be entitled to refunds; repealing all acts and parts of acts in conflict herewith and providing an effective date."	80, 232, 259, 277, 286, 291, 513.
134	Introduced by Blewett, Laas, Broeder, Spahr: A bill for an act entitled: "An act to amend section 93-9903 of the Revised Codes of Montana, 1947,	

No.	Title of Bill	Page
	<p>relating to estates in land which may be acquired by condemnations by providing that a fee simple estate may be acquired for state and public highway purposes; to amend section 93-9904 of the Revised Codes of Montana, 1947, by providing that controlled access highways shall not be subject to intersections, crossings, or uses in common; to amend section 93-9906 of the Revised Codes of Montana, 1947, relating to entry by the state upon lands for making of surveys and maps by providing that entry may be made by the state upon such lands for the purpose of making appraisals thereof; amending section 93-9909 of the Revised Codes of Montana, 1947, relating to summons in condemnation proceedings by providing that such summons must be served upon each defendant at least twenty (20) days prior to hearing on order to show cause and providing that a copy of the complaint shall be served on each defendant named; to amend section 93-9910 of the Revised Codes of Montana, 1947, relating to defendants in condemnation proceedings by providing that an answer shall be served upon the plaintiff by each appearing defendant and that such answer shall contain a specific allegation by such defendant as to the amount claimed by such defendant as reasonable and just compensation for taking of his lands; amending section 93-9911 of the Revised Codes of Montana, 1947, relating to the powers of courts and judges in condemnation proceedings; providing for a preliminary condemnation order; and eliminating therefrom reference to appointment of commissioners; amending section 93-9912 of the Revised Codes of Montana, 1947, relating to meeting of commissioners by providing for qualifications, appointment, and proceedings therefor, and by amending provisions relating to measurement of award by deleting references to damages and substituting therefor the term 'depreciation'; amending section 93-9913 of the Revised Codes of Montana, 1947, by deleting reference to 'damages', and providing for interest to be paid if plaintiff let into possession of property; amending section 93-9914 of the Revised Codes of Montana, 1947, providing for report of condemnation commissioners and providing that their report shall be filed within ten (10) days after hearing and providing that two of three commissioners may decide award; amending section 93-9915 of the Revised Codes of Montana, 1947, by deleting therefrom reference to damages; amending section 93-9920 of the Revised Codes of Montana, 1947, by providing that plaintiff in condemnation proceedings can be let into possession of property by depositing amount claimed by landowner, providing for a bond to be posted for return of excess moneys by landowner where deposit amounts are withdrawn prior to final award; repealing all acts or parts of acts in conflict herewith."</p>	80, S-259.

No.	Title of Bill	Page
Sub. 134	<p>Introduced by Committee on Highways: A bill for an act entitled: "An act to amend section 93-9903 of the Revised Codes of Montana, 1947, relating to estates in land which may be acquired by condemnations by providing that a fee simple estate may be acquired for state and public highway purposes; to amend section 93-9904 of the Revised Codes of Montana, 1947, by providing that controlled access highways shall not be subject to intersections, crossings, or uses in common; to amend section 93-9906 of the Revised Codes of Montana, 1947, relating to entry by the state upon lands for making of surveys and maps by providing that entry may be made by the state upon such lands for the purpose of making appraisals thereof; amending section 93-9909 of the Revised Codes of Montana, 1947, relating to summons in condemnation proceedings by providing that such summons must be served upon each defendant at least twenty (20) days prior to hearing on order to show cause and providing that a copy of the complaint shall be served on each defendant named; to amend section 93-9910 of the Revised Codes of Montana, 1947, relating to defendants in condemnation proceedings by providing that an answer shall be served upon the plaintiff by each appearing defendant and that such answer shall contain a specific allegation by such defendant as to the amount claimed by such defendant as reasonable and just compensation for the taking of his lands; amending section 93-9911 of the Revised Codes of Montana, 1947, relating to the powers of courts and judges in condemnation proceedings; providing for a preliminary condemnation order; and eliminating therefrom reference to appointment of commissioners; amending section 93-9912 of the Revised Codes of Montana, 1947, relating to meeting of commissioners by providing for qualifications, appointment, and proceedings therefor, and by amending provisions relating to measurement of award by deleting references to damages and substituting therefor the term 'depreciation'; and by deleting provisions relating to compensation for removal of personal property; amending section 93-9913 of the Revised Codes of Montana, 1947, by deleting reference to 'damages', and providing for interest to be paid if plaintiff let into possession of property; amending section 93-9914 of the Revised Codes of Montana, 1947, providing for report of condemnation commissioners and providing that their report shall be filed within ten (10) days after hearing and providing that two of three commissioners may decide award; amending section 93-9915 of the Revised Codes of Montana, 1947, by deleting therefrom reference to damages; amending section 93-9920 of the Revised Codes of Montana, 1947, by providing that plaintiff in condemnation proceedings can be let into possession of property by depositing amount claimed by</p>	

No.	Title of Bill	Page
	landowner, providing for a bond to be posted for return of excess moneys by landowner where deposit amounts are withdrawn prior to final award; repealing all acts or parts of acts in conflict herewith."	259, 260, 295, 317, 321, 344, 345, 353, 362, 530, SS-531, 577, 580, 587, 595, 604, 607, 612, 620, 656, 657, 674.
135	Introduced by Blewett, Laas, Broeder, Spahr: A bill for an act entitled: "An act to amend section 32-1615 of the Revised Codes of Montana relating to the procurement of rights of way and other properties; specifying the purposes for which land and other real property may be acquired by the state highway commission; authorizing the state highway commission to acquire lands or other real property by purchase or exchange; authorizing the state highway commission to authorize proceedings in condemnation for the acquisition of lands or other real property; providing that the resolution of the state highway commission shall be conclusive as to the necessity of highways and property required therefor and as to proper planning and location of state highways; providing for the acquisition of lands or other real property for present or future highway needs; authorizing the state highway commission to leave lands or other real property; providing that acquisition of right-of-way by state highway commission includes the right to use or dispose of gravel or other road building materials located within such right-of-way; repealing all acts and parts of acts in conflict herewith; and providing that this act be in full force and effect from and after its passage and approval."	81, 233, 265, 285, 299, 317, 321, 345, 346, 352, 530, 577, 580, 588, 621, 622, 627.
136	Introduced by McOmber, Barnard, Raundal, Leuthold, Nichols, Jensen (Lake), Hanks, Eskildsen: A bill for an act entitled: "An act to amend section 84-1818 Revised Codes of Montana as amended relating to procedure on refund of gasoline license tax and amending chapter 18, title 84, Revised Codes of Montana, 1947, by adding a new section to be numbered 84-1818.1, providing for exemption of gasoline used in farming, providing for an annual agricultural exemption permit; providing for an agricultural exemption invoice and certificate and methods of reporting by dealers and distributors; providing for exemptions of counties, cities, towns and school districts from state gasoline tax, and providing procedure for obtaining such exemption; providing for rules and regulations to be prescribed by state board of	

No.	Title of Bill	Page
	equalization; providing for penalties for violation of provisions of this act; providing for a savings clause; providing an effective date and repealing all acts and parts of acts in conflict herewith."....	81, 255.
137	Introduced by Picard (by request): A bill for an act entitled: "An act to amend section 25-604, R.C.M. 1947, relating to salaries of deputies of county officers, to provide that boards of county commissioners must fix the compensation of chief deputies at ninety-five percent (95%) of officer under whom such chief deputy is serving; to provide that all regular deputies must receive ninety percent (90%) of the salary of the officer under whom they are serving; and to provide for a prescribed minimum number of deputies."	82, 119.
138	Introduced by McOmber, Raundal, Leuthold: A bill for an act entitled: "An act to amend section 84-1812, Revised Codes of Montana, 1947, as amended by chapter 206, Laws of Montana, 1957, by providing distribution of proceeds of tax funds by the state treasurer by increasing the amount to be credited and deposited to the state highway fund and reducing statutory amount required to be retained in the drawback fund; repealing all acts or parts of acts in conflict herewith and providing an effective date."	83, 255.
139	Introduced by Picard, Healy, Lundgren, Conklin: A bill for an act entitled: "An act to increase the fine imposed for dumping garbage upon or near highways from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00) by amending section 32-1014, R.C.M. 1947, as amended by section 1, chapter 237, Session Laws of 1959."	83, 279.
140	Introduced by Blewett, Bradford: A bill for an act entitled: "An act amending section 92-701, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-702, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-703, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-704, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-709, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, all relating to increases in workmen's compensation and benefits for temporary total, permanent total, or partial disabilities, injury causing death, and specified injuries; and amending sections 92-418, Revised Codes of Montana, 1947, relating to the definition of 'injury' or 'injured'; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	83, 213, 253, 269, 285, 299, 320, 340, 344, 518, 539, SA-560, 607, 608, 627.

No.	Title of Bill	Page
141	Introduced by Hibbard, Weeks, Lucas, Reed, Anderson (Yellowstone), Haughey: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed ten (10) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith."	84, 106, 119, 170, 173, 177, 204, 435.
142	Introduced by Hibbard, Reed, Dykstra: A bill for an act entitled: "An act to amend section 75-4609, of the Revised Codes of Montana of 1947, as amended by chapter 147, Laws of 1959, relating to a special levy election in a high school district, and providing the election may be called by the board of trustees of a high school district; and containing a repealing clause and effective date."	85, 213, 242, 263, 270, 273, 578, 591, SA-602, 621, 622 627.
143	Introduced by Lucas, Conklin, Bradford, Mathers: A bill for an act entitled: "An act to provide for payments by the state auditor to treasurers of cities for payments of salaries to policemen placed on the reserve list."	87, 202.
144	Introduced by Laas, Lewis, Broeder, Pierce: A bill for an act entitled: "An act to amend section 31-105, R.C.M. 1947, as amended by section 1, chapter 109, Laws of 1959, relating to qualifications of patrolmen — salary — probationary training — discharge — demotion — suspension — hearing; increasing salary differential among captains, sergeants and patrolmen; increasing base salaries of captains, sergeants, patrolmen and probationary partolmen when such patrolmen work a forty-eight (48) hour week; repealing all acts or parts of acts in conflict herewith."	87, 371, 428.
145	Introduced by Dykstra, Haines, Loman: A bill for an act entitled: "An act to amend section 40-3128, Revised Codes of Montana, 1947, as added by chapter 286, Session Laws of 1959, relating to investments of insurance companies in real estate and interests therein; providing for an effective date for this act; and repealing all acts and parts of acts in conflict herewith."	87, 166, 187, 200, 212, 219, 225, 289, 299, SA-306, 324, 396, 435.
146	Introduced by Dykstra, Haines, Loman: A bill for an act entitled: "An act to amend section 40-3011, Revised Codes of Montana, 1947, as added by chapter 286, Session Laws of Montana, 1959, relating to the valuation of life insurance policies and contracts; prescribing additional mortality	

No.	Title of Bill	Page
	tables for such valuation; providing an effective date for this act; and repealing all acts and parts of acts in conflict herewith."	88, 246, 270, 286, 295, 297, 397, 453, SA-458, 480, 481, 529, 566.
147	Introduced by Abel, Nelstead, Lucas, Schwinden: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending section 6 of article XVI of said Constitution, relating to the authorization of the Legislative Assembly to provide for the election or appointment of county, township, precinct and municipal officers not otherwise in the Constitution provided as public convenience may require increasing the limit of time of office from two years to four years."	88, 242, 265, 293, 299, 304, 320, 339, 353, 362, 380, 381.
148	Introduced by Pierce, Bush, Anderson (Madison), Mathers, Coulter: A bill for an act entitled: "An act creating and establishing a Montana state game warden's retirement system; defining the terms 'accumulated deductions,' 'beneficiary,' 'retired state game warden,' 'board,' 'contributor,' 'final salary,' 'actuarial equivalent,' 'fund,' 'involuntary retirement,' 'member's annuity,' 'optional retirement age,' 'retirement age,' 'retirement allowance,' 'state annuity,' 'state game warden;' creating a Montana state game wardens' retirement board; providing for payments into the Montana game wardens' retirement fund; providing the board may establish rules and regulations for proper administration, operation and enforcement of this act; defining who shall be members of said retirement system; creating a state game wardens' retirement fund; providing for contributions by members of the Montana state game wardens; providing for contributions by the State of Montana; providing for retirement, voluntary retirement, retirement allowance, disability retirement allowance, involuntary retirement allowance, refunds in case of resignation or discharge, payments upon death, payments in case of death from natural causes; providing for monthly payments of retirement allowances; providing for the exemption from taxes and execution of member's annuity; providing for the manner of designating beneficiaries; providing for service in the armed forces of the United States; prohibiting fraud and providing for the manner of correcting errors; providing for restrictions on payments to beneficiaries; providing for the subrogation of the State of Montana to the rights of the members or dependents against certain third parties; providing for payments under other laws; providing for optional retirement allow-	

No.	Title of Bill	Page
	ances; providing that each game warden shall be ineligible to membership in state public employees' retirement system; providing that the constitutional provisions of this act are severable; providing this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith."	88, 187, 213, 231, 235, 330, 427.
149	Introduced by Judge: A bill for an act entitled: "An act to amend section 32-2199, R.C.M. 1947, as enacted by section 96, chapter 263, Laws of 1955, relating to the stopping, standing, or parking of motor vehicles outside of business or resident districts; prohibiting persons from abandoning vehicles on highways or on public or private property; providing that any vehicle left unattended in excess of twenty-four (24) hours shall constitute an abandoned vehicle for purpose of act; providing that disabled vehicle shall not be abandoned vehicle when properly protected and when enforcement officials notified; repealing all acts or parts of acts in conflict herewith."	88, 279.
150	Introduced by Judge: A bill for an act entitled: "An act to amend section 32-21-100, R.C.M. 1947, as enacted by section 97, chapter 263, Laws of 1955, relating to the authority of officers or highway patrolmen to remove or cause to be removed illegally stopped vehicles; providing officers or highway patrolmen with authority to remove unattended or abandoned vehicles to a garage or other place of safety: (1) Whenever any vehicle is left unattended on a bridge or causeway or in any tunnel, (2) whenever any vehicle is illegally parked so as to block the entrance to a private driveway or so parked as to prevent access by fire-fighting equipment, (3) whenever any stolen or embezzled vehicle is found on a highway or the right of way thereof, (4) whenever any vehicle upon a highway is so disabled as to constitute a hazard and the person in charge of such vehicle is incapacitated because of physical injuries, (5) whenever an officer or highway patrolman arrests any person driving or in control of a vehicle, (6) whenever any vehicle has been abandoned or left unattended upon any public highway or private property adjacent to a public highway and the owner or person in control of such property has requested such vehicle to be removed, and (7) whenever any vehicle has been left unattended upon any roadway or portion thereof and such vehicle causes an obstruction or creates a hazard for other users of the highway; requiring officers or highway patrolmen to notify owners, if possible, of such removed vehicles; providing that the registrar of motor vehicles will assist to locate and notify owners which cannot be located by officers or highway patrolmen; providing that	

No.	Title of Bill	Page
	<p>proprietors or owners of garages or other places of storage who have a lien dependent upon his possession for his compensation for towage, caring for and keeping safe such vehicle, may satisfy his lien in the manner as is provided in sections 45-1106, 45-1107, 45-1108, 45-1109 and 45-1110, R.C.M. 1947, providing such vehicle has been stored, cared for or in safe keeping for a period of ninety (90) days and has not been recovered by the owner or the owner is unknown; providing that existing statutes relating to abatement of public nuisances and obstructions shall not be affected by this act; repealing all acts or parts of acts in conflict herewith."</p>	89, 279.
151	<p>Introduced by Hibbard, Anderson (Madison): A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 157, Laws of 1949; as amended by section 1, chapter 126, Laws of 1951; as amended by section 1, chapter 223, Laws of 1953; as amended by section 1, chapter 193, Laws of 1955; relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto; to provide that dogs may be used for hunting black or brown bear; and providing for an effective date."</p>	89, 124.
152	<p>Introduced by Weeks, Keller, Melcher, Haughey, Hilling: A bill for an act entitled: "An act to amend section 66-1002 of the Revised Codes of Montana, 1947, relating to organization of board, register and rules; to amend section 66-1003 of the Revised Codes of Montana, 1947, as amended by chapter 119 of the laws of the Thirty-fifth Legislative Assembly, 1957, relating to the definition of an approved medical university, college or school and relating to the branches and subjects of medicine and surgery concerning which the examination given applicants for license to practice medicine and surgery shall cover; to amend section 66-1004 of the Revised Codes of Montana, 1947, relating to qualifications of jurors to sit on appeals to the district court and relating to fees of such jurors; to amend section 66-1008 of the Revised Codes of Montana, 1947, relating to fees for examination for admittance and annual license fees; to amend section 66-1009 of the Revised Codes of Montana, 1947, relating to compensation and expenses allowed board members and appealing all acts and parts of acts in conflict herewith, and providing that said act shall be in full force and effect from and after July 15, 1961."</p>	91, 192, 228, 241, 242, 251, 358, 371, 396, 463.
153	<p>Introduced by Conklin, Daniels: A bill for an act entitled: "An act regulating the erection, use, and maintenance of signs, advertising structures or similar devices used for the display of advertising</p>	

No.	Title of Bill	Page
	outdoors on private property along public highways within this state; providing penalties and appropriate legal proceedings for violation of this act; and repealing acts and parts of acts in conflict herewith."	92, 279, 300, 327, 337, 370.
154	Introduced by Aasheim, Sheldon, Kolar, Haines: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana to eliminate county superintendent of schools as one of the county officers elected by the people, by amending section 5, article XVI of the Montana Constitution."	92, 354, 374, 402.
155	Introduced by Hilling, Haughey, Rosell, Pierce, Anderson (Yellowstone), Beam, Crum, Goan: A bill for an act entitled: "An act relating to special rural improvement districts in counties; amending section 16-1601, R.C.M. 1947, to permit improvement districts for building, construction and maintenance of devices intended to protect the safety of the public from open ditches carrying irrigation or other water."	93, 182, 194, 212, 219, 224, 263, 358, 371, 396, 463.
156	Introduced by Hilling, Haughey, Rosell, Pierce, Anderson (Yellowstone), Beam, Crum, Goan: A bill for an act entitled: "An act relating to special improvement districts in cities and towns; amending section 11-2202, R.C.M. 1947, to permit improvement districts for building, construction and maintenance of devices intended to protect the safety of the public from open ditches carrying irrigation or other water."	94, 182, 201, 218, 219, 226, 358, 378, 379, 461, 481.
157	Introduced by Jensen (Lake), Adams, Bardanouve, Asbjornson, Regan: A bill for an act entitled: "An act to establish an unsatisfied judgement fund with the Montana state treasurer from an additional one dollar (\$1.00) fee assessed to purchasers of Montana drivers licenses; providing for the investment of said fund; suspending collecting of fees for a two (2) year period when said fund exceeds two hundred fifty thousand dollars (\$250,000.00); providing for recovery from the fund by Montana residents obtaining judgements in excess of three hundred dollars (\$300.00) for personal injury or death; providing for recovery from the fund by Montana residents when liability cannot be determined, and providing a limit of five thousand dollars (\$5,000.00) per person, and ten thousand dollars (\$10,000.00) per accident on amount to be collected from the fund; designating the attorney general as counsel of said fund, and empowering said official to appoint special counsel to defend said fund; providing for appeals from	

No.	Title of Bill	Page
	orders as provided by law; designating manner in which judgement becomes final; providing for assignment of judgments to state treasurer before payment of judgement from said fund; providing for amounts to be repaid fund before driving privileges restored, and installment payment thereof; and providing for a repealing clause."	94, 220.
158	Introduced by Bardanouve, Anderson (Yellowstone): A bill for an act entitled: "An act to implement and expedite the assessment and taxation of property by making each property owner responsible for reporting to the county assessor the property that he owns, possesses or controls; amending sections 84-401, 84-405, 84-409, 84-410 and 84-412, R.C.M. 1947, and repealing sections 84-411, 84-413, 84-439 and 84-440, R.C.M. 1947."	94, 324.
159	Introduced by Seymour, Cerovski: A bill for an act entitled: "An act to amend section 75-3414, Revised Codes of Montana, 1947, relating to school transportation; providing for a contingency item in the school transportation budget; requiring copies of transportation contracts and budgets to be transmitted to the superintendent of public instruction; containing a repealing clause; and fixing an effective date."	94, 249, 295, 308, 309, 314, 490, 544, 575, 655.
160	Introduced by Reed, Haines, Twedt, Page, Kvaalen, Rosell, Seymour: A bill for an act entitled: "An act to amend sections 75-1716, 75-1719, 75-1720, 75-4521, 75-4524 and 75-4525, Revised Codes of Montana, 1947, relating to emergency budgets of school districts and high schools; and containing a repealing clause."	94, 123, 165, 186, 188, 328.
161	Introduced by Nelstead: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly executed, acknowledged and reported and containing a repealing clause."	94, 170, 187, 200, 201, 210, 289, 305, 396, 435.
162	Introduced by Schye, Emmons, Laas, Healy: A bill for an act entitled: "An act to amend section 41-701 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 32 of the Session Laws of 1955, and to amend section 41-703 of the Revised Codes of Montana, 1947, relating to requiring all contracts for state, county, municipal, school construction, heavy highway or municipal construction, or repair work and maintenance	

No.	Title of Bill	Page
	to contain provisions requiring preference to bona fide residents of Montana and defining 'the standard prevailing rate of wages', 'heavy highway or municipal construction' in the county and area where the work is being performed and providing penalties for the violation of this act, and repealing all acts and parts of acts in conflict herewith."	97, 174, 194, 212, 219, 224, 358, 405, 426, 441, 453, SA-456, 480, 529.
163	Introduced by Thompson, Kvaalen, Bashor, Picard: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; to provide minimum salaries for county attorneys and county sheriffs; and containing a repealing clause."	97, 340.
164	Introduced by Nelstead, Mathers: A bill for an act entitled: "An act to amend section 16-2406 of the Revised Codes of Montana, 1947, relating to the term of office of county officers, to make it possible for county treasurers to succeed themselves; repealing all acts or parts of acts in conflict herewith, and providing for an effective date."	97, 294, 403, 412, 443.
165	Introduced by Stimatz, Lucas, Murray: A bill for an act entitled: "An act to provide that an indictment, information, complaint or accusation may charge two or more offenses under separate counts; providing for the consolidation of two or more indictments, informations, complaints, or accusations; providing that election by prosecution is not required; providing that conviction may be had on any number of offenses charged; providing for a statement in verdict, and that the court may order trial of different offenses charged separately or in groups; providing for effect of acquittal on part of counts; and repealing section 94-6407, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	97, 174, 194, 212, 217, SS-398.
Sen. Sub. 165	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide that an indictment, information, complaint or accusation may charge two or more offenses under separate counts; providing for the consolidation of two or more indictments, informations, complaints, or accusations; providing that election by prosecution is not required; providing that conviction may be had on any number of offenses charged; providing for a statement in verdict, and that the court may order trial of different offenses charged separately or in groups; providing for	

No.	Title of Bill	Page
	effect of acquittal on part of counts; amending section 94-6703, Revised Codes of Montana, 1947, relating to demurrers in criminal cases, by deleting sub-section (3) thereof; and repealing section 94-6407, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	398, 452, 455, 513, 525, 537, 576, 627.
166	Introduced by Nelstead, Mathers: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana, an amendment to section 5 article XVI of the Constitution of the State of Montana, relating to election of county officers, to make it possible for county treasurers to succeed themselves; and providing an effective date."	98, 354, 391, 406, 412, 419.
167	Introduced by Murray, Hibbard, Nichols, Johnson, Sullivan (Silver Bow), Anderson (Yellowstone), Regan, Nelstead: A bill for an act entitled: "An act abolishing the state board of hail insurance; and repealing sections 82-1501 to 82-1520, inclusive, of the Revised Codes of Montana, 1947, as amended, and all acts and parts of acts in conflict herewith."	98, 126, 247, 278, 304, 309, 313, 491.
168	Introduced by Lucas, Murray, Eskildsen, Stimatz: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to section 19 of article VIII of the Constitution of the State of Montana relating to the election, qualifications, term of office, salary, and duties of county attorneys, to provide that the term of office of county attorneys shall be four (4) years."	98, 332, 346, 365, 377, 383, 384, 583, 608, 627.
169	Introduced by Eskildsen, Aasheim: A bill for an act entitled: "An act to prohibit the introduction of noxious weed seeds or viable plant parts originating outside Montana, into Montana on combines, hay balers or other sources; to prescribe the duties of the commissioner of agriculture for inspecting, certifying, disseminating information, establishing rules, regulations and inspection fees and other duties necessary to administer this act; to provide for penalties for noncompliance with this act; to provide for the appointment of weed inspectors and to prescribe their duties; to repeal section 16-1708, R.C.M. 1947."	98, 329, 353, 390, 401, 404, 417, 452.
170	Introduced by Spahr: A bill for an act entitled: "An act relating to teachers' examinations and certificates; amending section 75-2501, R.C.M. 1947,	

No.	Title of Bill	Page
	by changing subsection 4 to require certificates to be registered not later than November 1."	98, 244, 270, 295, 297, 463, 496, SA-501, 553, 554, 581, 608.
171	Introduced by Moudree, Cerovski, Nichols: A bill for an act entitled: "An act relating to regulation of traffic; providing that yield-right-of-way signs, not stop signs, shall be erected at entrances to state and federal highways, or intersections, when such entrances or intersections are located outside the limits of incorporated cities and towns, by amending section 92, chapter 263, Laws of 1955, compiled as section 32-2195, R.C.M. 1947."	102, 213.
172	Introduced by Keller, Hazelbaker, Dykstra: A bill for an act entitled: "An act authorizing state employees paid either fully or in part from federal funds, and not subject to the federal retirement system, to become members of the public employees' retirement system of the State of Montana; providing all employees of the Montana army and air national guard to become members on the first day of employment except employees in state service on July 1, 1961 or prior thereto who have filed an election not to become members; providing that employees who have filed their election not to become members may become members at any time while an employee and receive credit for prior service; providing for an effective date of this act; and containing a repealing clause."	102, 167, 233, 253, 277, 278, 284, 555, 579, SA-586, 621, 622, 627.
173	Introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend sections 75-1713.1, 75-1722, 75-1723, 75-4518.1, 75-4527, 75-4516.1 and 75-3801, Revised Codes of Montana, 1947, relating to the school budget; procedures for financing the school budget; restrictions on the school budget; reduction in budget by budget board; providing for a statement of levy requirements; enumerating the budgets comprising the school budget; providing for a non-operating budget for any school district not operating any school; defining terms; providing for a reserve fund for the general fund and transportation fund; providing for financing a deficit from preceding year; providing a method for determining the levies required; fixing the tax levy for each of the budgeted funds; providing for elections for additional levies; prohibiting interpretation as authorizing additional budgets; containing a repealing clause; and fixing an effective date."	102, S-375.
Sub. 173	Introduced by the Committee on Education: A bill for an act entitled: "An act to amend sec-	

No.	Title of Bill	Page
	tions 75-1713.1, 75-1722, 75-1723, 75-4518.1, 75-4527, 75-4516.1 and 75-3801, Revised Codes of Montana, 1947, relating to the school budget; procedures for financing the school budget; restrictions on the school budget; reduction in budget by budget board; providing for a statement of levy requirements; enumerating the budgets comprising the school budget; providing for a non-operating budget for any school district not operating any school; defining terms; providing a reserve fund for the general fund; providing a method for determining the levies required; fixing the tax levy for each of the budgeted funds; providing for elections for additional levies; prohibiting interpretation as authorizing additional budgets; containing a repealing clause; and fixing an effective date."	375, 376, 405, 431, 441, 442, 444.
174	Introduced by Picard, Emmons, Lucas, Judge: A bill for an act entitled: "An act authorizing any and all departments of the State of Montana to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the departmental contribution to five dollars (\$5.00) per month for each officer and employee and their dependents."	102, 123, 270.
175	Introduced by Higham, Bashor, Melcher: A bill for an act entitled: "An act providing for hide certificates, recording of certificates and identification of hides; providing definitions; amending section 46-1102, Revised Codes of Montana, 1947, providing a misdemeanor penalty for falsifying a hide certificate or failing to affix the required identification tag; amending section 46-1106, Revised Codes of Montana, 1947, by excluding licensed slaughterhouses from hide licensing requirements; amending section 46-1107, Revised Codes of Montana, 1947, by providing a license fee of twenty-five dollars (\$25.00) for a hide dealer or buyer, to be paid to the livestock commission fund; providing a misdemeanor penalty for acting as a hide dealer or buyer without a license; providing for revocation of such license upon conviction; repealing sections 46-1101, 46-1108, 46-1109, 46-1110, 46-1111, 46-1112 and 46-1113, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; providing an effective date of this act."	102, S-187.
Sub. 175	Introduced by Committee on Livestock and Ranges: A bill for an act entitled: "An act providing for hide certificates, recording of certificates and identification of hides; providing definitions; amending section 46-1102, Revised Codes of Montana, 1947, providing a misdemeanor penalty for	

No.	Title of Bill	Page
	falsifying a hide certificate or failing to affix the required identification tag; amending section 46-1106, Revised Codes of Montana, 1947, by excluding licensed slaughterhouses from hide licensing requirements; amending section 46-1107, Revised Codes of Montana, 1947, by providing a license fee of five dollars (\$5.00) for a hide dealer or buyer, to be paid to the livestock commission fund; providing a misdemeanor penalty for acting as a hide dealer or buyer without a license; providing for revocation of such license upon conviction; repealing sections 46-1101, 46-1108, 46-1109, 46-1110, 46-1111, 46-1112 and 46-1113, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	187, 188, 213, 231, 242, 250, 413, 453, SA-458, 472, 529, 530.
176	Introduced by Eskildsen, Twedt: A bill for an act entitled: "An act to amend sections 3-201, 3-227 and 3-228, Revised Codes of Montana, 1947, relating to grain standards, storage and inspection and regulation of grain warehousemen, to provide that trucks and tractor-trailer units shall be included in the definition of "grain dealer"; and to increase the minimum fine for falsifying or failing to make reports or resisting inspection from fifty (\$50.00) dollars to three hundred (\$300.00) dollars; and to increase the minimum fine for failing to obtain a license or continuing to operate without a license from twenty-five (\$25.00) dollars to three hundred (\$300.00) dollars, and to increase the maximum fine for the same violation from one hundred (\$100.00) to five hundred (\$500.00) dollars."	103, 182, 201, 218, 222, 330, 427, 430, 433, 578, 591, SA-600, 650, 651, 666.
177	Introduced by Beam: A bill for an act entitled: "An act to amend section 75-1632, Revised Codes of Montana, 1947, relating to the duties of boards of trustees of school districts; making trustees and janitors responsible for proper maintenance of privies, outhouses and toilets; and containing a repealing clause."	103, 220, 242, 257, 270, 275, 490, 553, 554, 581, 655.
178	Introduced by Beam, Schye: A bill for an act entitled: "An act to amend section 75-1630, Revised Codes of Montana, 1947, as amended by chapter 99 Laws of Montana, 1959, by providing for the full payment of all actual costs of a student residing in one school district and attending a public elementary school located in another district; repealing all acts and parts of acts in conflict herewith, and providing an effective date."	103, 264.
179	Introduced by Kvaalen: A bill for an act entitled:	

No.	Title of Bill	Page
	“An act to amend sections 75-3722, 75-3723, 75-1710, and 75-4515, Revised Codes of Montana, 1947, relating to the duties of county treasurer with respect to school funds; and containing a repealing clause.”	103, 264, 300, 321, 322, 325, 482, 498, 529, 566.
180	Introduced by Hilling, Beam, Pierce, Goan, Crum, Haughey, Rosell, Anderson (Yellowstone): A bill for an act entitled: “An act relating to officers and elections in cities and towns; providing that the period of residence in an area annexed to a city or town shall be counted when determining whether a person is qualified to vote in an election or hold office in such city or town, by amending sections 11-710, 11-713, 11-714, 11-715 and 11-716, R.C.M. 1947.”	103, 173, 194, 212, 219, 225, 337, 405, 426, 441, 453, 455, 470, 485, 504, 544, 545, 581, 593.
181	Introduced by Keller, Shelden, Haines, Judge: A bill for an act entitled: “An act to amend sections 59-801 and 59-802 of the Revised Codes of Montana, 1947, relating to mileage to be paid to state officers, employees and other classes of persons; to provide for an increase in the mileage payments to members of the Legislative Assembly, state officers, township officers, jurors, witnesses, county agents, state or county officers and employees, and all other persons, except sheriffs, who may be entitled to mileage; containing a repealing clause.”	103, 301, 345, 353, 364, 517, 528, 575, 655.
182	Introduced by Swanz, Hawks, Anderson (Yellowstone), Hanks: A bill for an act entitled: “An act providing that when the state highway commission constructs a highway through an irrigation project or district and acquires under eminent domain, or otherwise, irrigable land for highway purposes, or acquires land for such purposes which acquisition renders other irrigable land unusable for irrigation, the state highway commission shall pay to the owner of the irrigation project, or to the irrigation district, a proportionate share of the unpaid construction costs, if any, for the irrigable land so acquired, or such irrigable land rendered unusable for irrigation; and providing an effective date for the act.”	103, 279, 295, 308, 309, 316, 578, 591, SA-598, 621, 622, 627.
183	Introduced by Kvaalen, Beam, Cerovski, Hibbard, Gustafson: A bill for an act entitled: “An act to amend section 75-2401 Revised Codes of Mon-	

No.	Title of Bill	Page
	tana, 1947, as amended by chapter 26, Laws of 1957, relating to the re-election of teachers and providing that any teacher may be retired who has attained the age of sixty-five (65) years and that a board of trustees may continue to employ a teacher until the age of seventy (70) years and repealing all acts and parts of acts in conflict herewith."	107, 244.
184	Introduced by Smith, Mathers, Coulter: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special non-resident antelope and special nonresident deer licenses, fixing the fees and powers and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed."	107, 171, 187, 197.
185	Introduced by Jensen (Lake), Leuthold, Johnson, Nichols, McOmber: A bill for an act entitled: "An act to amend section 3-2407 of the Revised Codes of Montana, 1947, relating to the method in which the Babcock test shall be conducted on milk or cream sold for manufacture, sale or shipment, to provide the commissioner of agriculture with the authority to promulgate necessary rules and regulations for weighing and sampling milk from farm bulk milk tanks and use of composite sample."	107, 244, 278, 299, 304, 308, 473, 486, 529.
186	Introduced by Aasheim, Eskildsen: A bill for an act entitled: "An act to amend section 82-1511 of the Revised Codes of Montana, 1947, pertaining to the hail insurance fund by providing for reimbursements to the counties and state."	107, 393, 404, 431, 436, 438, 577, 590, SA-597, 622, 623, 627.
187	Introduced by Pierce, Emmons, Seymour, Wayrynen, Lewis: A bill for an act entitled: "An act to amend sections 4-102 and 4-170 of the Revised Codes of Montana by preventing the canvassing or promotion for the sale or purchase of liquors by agents or representatives of distillers or distributors, except upon license to be issued by the Montana liquor control board and providing that such canvassing or promotion must be limited to brands listed and authorized by the liquor control board; and prohibiting political activity on the part of such agents and representatives and providing a penalty therefor; and repealing all acts and parts of acts in conflict herewith."	107, 259, 295, 317, 322, 326, 464.
188	Introduced by Committee on Appropriations: A bill	

No.	Title of Bill	Page
	for an act entitled: "An act to appropriate money to the board of examiners for the payment of certain contract obligations at the Montana state prison, said lands under contract known as Deer Lodge valley farms, payment of lease on certain state and forest lands, payment of taxes on lands under purchase contract and to pay interest on unpaid balance; and providing for an effective date."	108, 228, 253, 269, 286, 290, 358, 378, 379, 461, 481.
189	Introduced by Gustafson, Higham: A bill for an act entitled: "An act amending section 46-503, Revised Codes of Montana, 1947, authorizing live inspection by the livestock commission at all slaughterhouses or livestock markets and providing for the marking of hides; providing a misdemeanor penalty for violation of the act; amending section 46-508, Revised Codes of Montana, 1947, authorizing use of certificates of inspection before disposal of hides; containing a repealing clause and effective date of this act."	108, 131, 173, 191, 194, 207, 413, 451, 452, 461, 504.
190	Introduced by Bardanouve, Eskildsen: A bill for an act entitled: "An act to increase the annual license tax of attorneys from five dollars to ten dollars by amending section 93-2010, R.C.M. 1947."	108, 170, 201, 211, 289, 318, 319, 396, 435.
191	Introduced by Keller, Lucas, Weeks, Baldwin, Melcher: A bill for an act entitled: "An act relating to desertion, abandonment, nonsupport and neglect of wife and children; amending sections 94-301 and 94-304, R.C.M. 1947 to provide that wilful nonsupport or neglect of a child or ward under sixteen (16) years old is a felony instead of misdemeanor, in addition to desertion or abandonment; changing the term of imprisonment; protecting each child or ward under sixteen (16) years old instead of fifteen (15) years old; permitting the judge to forfeit bonds to support a child or ward."	108, 166, 187, 200, 201, 211, 387.
192	Introduced by Bush, Seymour, Lucas, Page, Pierce, Spahr, Stimatz, Coulter: A bill for an act entitled: "An act relating to fish and game; requiring every person to produce for inspection game birds, game animals, fish or fur-bearing animals in his possession upon request of the fish and game director or his representative; requiring persons to stop at fishing and hunting checking stations; providing a penalty."	108, 328, 346, 365, 373, 386, 388, 531.
193	Introduced by Picard: A bill for an act entitled:	

No.	Title of Bill	Page
	<p>"An act to amend section 69-2701, R.C.M. 1947, enacted as section 1, chapter 273, Session Laws of 1959, relating to the definition and prohibition of fireworks to provide that it will be unlawful for any individual under twenty-one (21) years of age to possess for sale, sell or offer to sell, within the State of Montana, permissible fireworks as defined; to provide further that it shall be unlawful for wholesalers to sell or offer to sell fireworks, as defined, within the State of Montana."</p>	<p>108, 271, 295, 317, 322, 325, 463, 496, SA-500, 544, 545, 581, 655.</p>
194	<p>Introduced by Teigen, Twedt, Coulter: A bill for an act entitled: "An act to amend section 82-1519 of the Revised Codes of Montana, 1947, pertaining to the state board of hail insurance by changing the provisions pertaining to the salary of the chairman and per diem, mileage and compensation of the personnel of the department; repealing all acts or parts of acts in conflict herewith."</p>	<p>108, 393, 404, 431, 436, 439, 583, 608, 627.</p>
195	<p>Introduced by Judiciary Committee: A bill for an act entitled: "An act to amend section 25-232, Revised Codes of Montana, 1947, section 25-233, Revised Codes of Montana 1947, and section 82-503, Revised Codes of Montana 1947, increasing certain fees to be collected by the clerks of the district and supreme courts and providing for the disposition of such of said fee as are collected under said section 82-503 and repealing all acts and parts of acts in conflict herewith."</p>	<p>109, 170, 186, 200, 208, 219, 227, 428.</p>
196	<p>Introduced by Judiciary Committee: A bill for an act entitled: "An act relating to the judicial department of the State of Montana; providing for the retirement of district court judges and justices of the supreme court, subject to being called into service for certain purposes; creating a judicial retirement fund and holding the same for retirement pay; requiring judges to obtain benefits under sections 68-101 to 68-1320, R.C.M. 1947, before obtaining any benefits under this act."</p>	<p>109, 166, 187, 200, 208, 212, 217, 428.</p>
197	<p>Introduced by Raundal, Jensen (Lake), Baldwin, Schwinden: A bill for an act entitled: "An act relating to the responsibility of motor vehicle owners and operators; supplementing the provisions of title 53, chapter 4, R.C.M. 1947, to require an owner of a motor vehicle to prove his financial responsibility before the vehicle may be registered by the state registrar of motor vehicles; providing a penalty for violation of the act."</p>	<p>109, 220.</p>
198	<p>Introduced by Leuthold (by request): A bill for an</p>	

No.	Title of Bill	Page
	act entitled: "An act to provide for the furnishing to the producer of a weight information slip obtained from a Montana state inspected and approved scale; to provide for a penalty for non-compliance with the provisions of this act."	109, 182.
199	Introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-208, Revised Codes of Montana, 1947, pertaining to charges of public warehousemen—increasing storage charge from one-thirtieth (1/30th) of one cent per bushel to one-twentieth (1/20th) of one cent per bushel."	109, 183, 201, 218, 240, 311.
200	Introduced by Hanks, Haines, Reed, (by request): A bill for an act entitled: "An act to appropriate money for experimentation for in-class televised instruction with educational television by the Superintendent of Public Instruction and the Board of Education, ex officio regents of the University of Montana; providing for operational expenses and purchase of capital equipment; providing for selection of schools for experimental work, collection of research data, analyses of educational and economic efficiency, and publication of report; providing for utilization of television systems operated by the University of Montana and the units thereof and/or using time on commercial VHF broadcast stations for the production and transmission of classwork; to provide for experimentation with television as a medium for the transmission of instructions and demonstrations into classrooms of urban and rural schools, thereby enriching existing courses of study and augmenting the curriculum with instruction not now available; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."	109, 249.
201	Introduced by Hawks, Mathers, Nelstead, Stearns, Melcher, Smith: A bill for an act entitled: "An act to provide that any person who removes or causes to be removed from this state any cow, ox, bull, stag, calf, steer, heifer, horse, mule, mare, colt, foal or filly, without an inspection where such inspection is required by law shall be guilty of a felony."	109, 203, 242, 263, 270, 273, 578, 591, SA-600, 650, 651, 666.
202	Introduced by Dykstra, Cerovski: A bill for an act entitled: "An act amending sections 4-119, 4-157 and 4-158, Revised Codes of Montana, 1947, relating to the state liquor control act of Montana; eliminating necessity of placing official seal on packages or cases of wine; repealing all acts and parts of acts in conflict herewith; providing effective date of act."	111, 246, 270, 292.
203	Introduced by Conklin, Reed, Rosell, Goan, Murray,	

No.	Title of Bill	Page
	Page, Seymour, Johnson: A bill for an act entitled: "An act providing for the application qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by nonresidents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission; prescribing fees and their disposal; providing penalties for the violation of this act or of any rule or regulation issued by the commission; containing a severability clause; repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by chapter 129, Laws of 1957, chapter 130 Laws of 1957, chapter 131, Laws of 1957, and chapter 132, Laws of 1957; and containing an effective date for this act."	111, 167, S-335.
Sub. 203	Introduced by Committee on Business and Industry: A bill for an act entitled: "An act providing for the application, qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by non-residents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission; prescribing fees and their disposal; providing penalties for the violation of this act or any rule or regulations issued by the commission; containing a severability clause: repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by chapter 129, Laws of 1957, chapter 130, Laws of 1957, chapter 131, Laws of 1957, and chapter 132, Laws of 1957; and containing an effective date for this act."	335, 338, 368, 402, 405, 412, 419, 420, 552.
204	Introduced by Hilling, Beam, Pierce, Goan, Rosell, Crum, Haughey, Anderson (Yellowstone): A bill for an act entitled: "An act to permit an incorporated city or town to prevent the diversion or passage of water through the limits of such city or town in unfenced, open ditches that terminate in such city or town in order to protect persons from drowning, except commercial irrigation ditches; permitting a city or town to declare such a ditch a public nuisance; permitting a city or town to have such an unfenced, open ditch enjoined as a public nuisance if corrective measures are not taken by interested parties."	111, 244, 278, 299, 300, 302, 453, 472, 529, 566.

No.	Title of Bill	Page
205	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization for refunds on overpayment of inheritance tax, refunds of corporation license tax and for refunds of cigarette tax; for the district judges; and providing for the supplemental appropriations for the Thirty-sixth Legislative Assembly; the State Auditor, for county attorneys; the State Auditor, for district judges; the State Board of Examiners; the State Forester; and for the State Capitol P.B.X.; and providing for an effective date."	111, S-229.
Sub 205	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization for refunds on overpayment of inheritance tax, refunds of corporation license tax and for refunds of cigarette tax; for the prosecution of a lawsuit; for amounts due on oil and gas penalties; and for employers contribution to the public employees retirement system; and providing for an effective date."	229, 230, 259, 269, 286, 290, 413, 451, 452, 461, 504.
206	Introduced by Bardanouve, Nichols, Eskildsen: A bill for an act entitled: "An act changing the cut-off date for submitting claims for a fiscal year from twenty days following the end of the fiscal year to the end of the fiscal year by amending sections 82-1109 and 59-701, R.C.M. 1947, and section 3, chapter 84, Laws of 1955 compiled as section 59-701.2, R.C.M. 1947."	112, 365, 391, 411, 427, 430, 432, 490, 544, 575, 655.
207	Introduced by Nichols, Bardanouve: A bill for an act entitled: "An act relating to the state budget act; changing dates on which the director of the budget shall distribute blanks for preparation of the budget and on which state departments, agencies, university units and custodial institutions shall submit information for the budget, by amending section 2, chapter 158, Laws of 1959, compiled as section 79-1013, R.C.M. 1947."	112, 365, 396, 412, 443, 445, 447, 490, 553, 554, 581, 608.
208	Introduced by Haines: A bill for an act entitled: "An act to amend section 75-1305 and 75-1308, Revised Codes of Montana, 1947, relating to the printing and furnishing of copies of the school law by the Superintendent of Public Instruction; containing a repealing clause and fixing an effective date."	112, 244, 278, 299, 300, 302, 464, 480, 481, 529, 566.

No.	Title of Bill	Page
209	Introduced by Eskildsen, Daniels, Bashor: A bill for an act entitled: "An act to appropriate money for the construction of facilities necessary for the administration and training of the Montana National Guard."	112, 249, 263, 606, 617.
210	Introduced by Blewett (by request), Dykstra (by request): A bill for an act entitled: "An act to be known as the uniform commercial code, revising the law relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; providing for filing fees in certain circumstances; regulating remedies, procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; amending sections 3-226, 5-803, 5-1001, 5-1114, 8-709, 11-2404, 11-3714, 11-3721, 11-3910(b), 13-606, 16-2905, 16-2922, 16-2923, 19-103, 25-231, 32-1905(2), 45-109, 45-112, 45-116, 45-301, 45-308, 45-704, 45-707, 45-809, 45-911, 45-1106, 45-1107, 45-1410, 47-124, 52-114, 52-116, 52-212, 52-312, 52-313, 52-314, 52-319 through 52-323, 53-110, 66-202, 67-1301, 72-211, 72-224, 74-608, 79-1905, 88-152, 88-154, 89-109(2), 93-2802, 93-3403, 93-4301, 93-4302, 93-4307(4), 93-4338, 93-4344, 93-4346, 93-5811, 93-6001, 93-6004, 93-86613, 93-401-22, and 93-1401-7 of the Revised Codes of Montana, 1947; repealing sections 5-1007, 5-1008, 5-1016, 5-1017, 5-1043, 5-1047 through 5-1049, 8-501 through 8-507, 8-816 through 8-818, 14-523, 15-603, 15-605, 15-628 through 15-651, 16-2921, 17-308 through 17-314, 17-601, 17-602, 18-201 through 18-205, 30-601 through 30-609, 45-106, 45-1104, 45-1301 through 45-1305, 52-301 through 52-311, 52-315 through 52-317, 55-101 through 55-1801, 56-107, 65-104, 65-107, 65-115 through 65-126, 65-201 through 65-219, 67-1702 through 67-1704, 72-303, 72-305 through 72-307, 74-201, 74-202, 74-204 through 74-207, 74-321, 74-401 through 74-403, 74-502, 86-705, 86-706, 88-101 through 88-149, 88-156 through 88-160, and 93-4339 of the Revised Codes of Montana, 1947, and all other legislation inconsistent herewith; and providing an effective date."	112.
211	Introduced by Haughey, Goan, Crum: A bill for an act entitled: "An act amending section 16-4527, as amended, of the Revised Codes of Montana, 1947, pertaining to county water district taxes, by deleting the word 'minimum' wherever it appears in said section, by permitting the board of direc-	

No.	Title of Bill	Page
	tors of a county water district to include in its estimate of the amount of money required and the board of commissioners of the county, or city and county, in levying the taxes provided for in said section to include in said estimate and said taxes an amount sufficient to establish reasonable reserve funds for the payment of the principal of or interest on any bonded debt as it becomes due; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date."	113, 187, 201, 218, 219, 227, 413, 453, SA-459, 480, 529, 530.
212	Introduced by Schwinden, Bardanouve, Aasheim, Eskildsen: A bill for an act entitled: "An act relating to standards for petroleum products, and the regulation of manufacture and distribution of such products; permitting the Commissioner of Agriculture to determine the standards for all petroleum products sold in Montana and transferring enforcement duties from the Public Service Commission to the Commissioner of Agriculture by creating new sections, by amending sections 60-203, 60-204, 60-210, 60-211, 60-212, 60-213, 60-214, 60-217, 60-219, 60-220 and 60-222, R.C.M. 1947, and by repealing sections 60-206, 60-207, 60-208, 60-209 and 60-221, R.C.M. 1947."	113, 331, 334, 353, 390, 396, 399, SS-531, 577, 580, 587, 650, 651, 666.
213	Introduced by Beam, Schye: A bill for an act entitled: "An act to amend section 75-4230, Revised Codes of Montana, 1947, as amended by chapter 70, Laws of Montana, 1959, relating to the attendance of high school pupils outside of the county of residence and providing for full payment of all costs by the county of residence to the county of school attended; repealing all acts or parts of acts in conflict herewith, and providing an effective date."	113, 265.
214	Introduced by Anderson (Yellowstone), Goan, Daniels: A bill for an act entitled: "An act to amend section 18-1819 of the Revised Codes of Montana, 1947, relating to penalties for unlawfully obtaining refunds of gasoline tax and providing for the payment of tax before application for refund; and containing a repealing clause."	114, 214, 242, 263, 269, 285, 295, 297, 453.
215	Introduced by Keller, Sheldon, Stimatz, Higham: A bill for an act entitled: "An act to amend section 59-538 of the Revised Codes of Montana, 1947, relating to the per diem allowance paid to persons in the state service for time engaged in travel; to provide that they shall be paid for	

No.	Title of Bill	Page
	the time engaged in travel, ten dollars (\$10.00) per day for travel within the state and fifteen dollars (\$15.00) per day for travel outside the state."	114, 301, 325, 407, 412, 442, 443, 448, 449, 517, 553, 554, 581, 655.
216	Introduced by Anderson (Yellowstone), Haughey, Bashor, Regan: A bill for an act entitled: "An act to amend section 60-145, Revised Codes of Montana, 1947, relating to the oil and gas conservation commission, privilege and license tax, quarterly statements, penalties—drilling permit fees—oil and gas conservation fund; providing for an assessment on all crude petroleum and natural gas produced, saved and marketed or stored within the state of Montana, or exported from the state of Montana, for the purpose of providing funds for defraying the expenses of operation of the oil and gas conservation act and the expenses of the oil and gas conservation commission; providing that the oil and gas conservation commission shall fix the amount of such assessments in the first instance, and may, from time to time, reduce or increase the amount of said assessments as the expenses against the oil and gas conservation fund may require, and providing limitations upon the amount of said assessments; providing that the same factor shall be used in fixing the amounts of assessments; providing that payment of such assessments shall be made by the producers of said crude petroleum and natural gas and providing the reimbursement to said producers for such payments made on crude petroleum and natural gas produced for others; defining the word "lease" used therein; declaring leases owned and operated by one lessee which are affected by one particular unit agreement shall be considered as one lease relative to payments to be made under this section; providing that the commission may appoint a secretary and employ such other experts, assistants, clerks, and stenographers as may be necessary to perform the duties required of it and fix their compensation: repealing all acts and parts of acts in conflict therewith and providing for an effective date."	114, S-254.
Sub. 216	Introduced by Committee on Business and Industry: A bill for an act entitled: "An act to amend section 60-145, Revised Codes of Montana, 1947, as amended, relating to the oil and gas conservation commission, privilege and license tax, quarterly statements, penalties—drilling permit fees—oil and gas conservation fund; providing for an assessment on all crude petroleum and natural gas produced, saved and marketed or stored within the State of Montana, or exported from the State of Montana, for the purpose of providing funds for defraying the expenses of operation of the	

No.	Title of Bill	Page
	oil and gas conservation act and the expenses of the oil and gas conservation commission; providing that the oil and gas conservation commission shall fix the amount of such assessments in the first instance, and may, from time to time, reduce or increase the amount of said assessments as the expenses against the oil and gas conservation fund may require, and providing limitations upon the amount of said assessments; providing that the same factor shall be used in fixing the amount of assessments; providing that payment of such assessments shall be made by the producers of said crude petroleum and natural gas and providing for the correction of the reference to the section of the Revised Codes of Montana, 1947, as amended, which provides for the reimbursement to said producers for such payments made on crude petroleum and natural gas produced for others; defining the word "lease" used therein; declaring leases owned or operated by one lessee which are affected by one particular unit agreement shall be considered as one lease relative to payments to be made under this section; providing that the commission may appoint a secretary and employ such other experts, assistants, clerks, and stenographers as may be necessary to perform the duties required of it and fix their compensation; repealing all acts and parts of acts in conflict therewith, and providing for an effective date."	254, 257, 295, 308, 309, 315, 413, 453, SA-459, 480, 529, 530.
217	Introduced by Regan, Gustafson, Bashor, Lombardi, Schye, Dykstra, Seymour, Blewett: A bill for an act entitled: "An act to amend section 53-106, Revised Codes of Montana, 1947, as last amended by section 1, chapter 245, Laws of 1959, relating to number plates, to provide that all number plates furnished by the state shall be treated with a reflectorized background material, and providing for an additional registration fee; and amending section 53-122, Revised Codes of Montana, 1947, relating to registration fees of motor vehicles and their disposition to provide that the registration fee described in section 53-106 as amended herein shall be disposed in, and paid into, the motor vehicle recording fund of the Registrar of Motor Vehicles."	115, 330.
218	Introduced by Schwinden, Bashor: A bill for an act entitled: "An act amending section 69-3304, Revised Codes of Montana, 1947, relating to geophysical exploration and referring to proper plugging of 'shot holes' and restoration of surface around same to original condition as items of damage; providing effective date."	115, 246, 270, 292, 295, 298, 578, 591, SA-602, 650, 651, 666.

No.	Title of Bill	Page
219	Introduced by Stimatz, Mernin: A bill for an act entitled: "An act relating to special powers of county commissioners to deed land for parks; authorizing such commissioners to deed land to cities and towns, in addition to the state and federal government, for public parks or recreational grounds, by amending section 16-1131, R.C.M. 1947; containing a general repealer clause; containing an effective date."	115, 196, 213, 231, 240, 337, 405, 426, 441, 453, SA-457, 480, 481, 529.
220	Introduced by Higham, Hawks, Spahr, Kvaalen, Leuthold: A bill for an act entitled: "An act to permit the reorganization of the public elementary and secondary school system of the state of Montana; providing for the creation of the Montana school reorganization commission and a county redistricting committee in each county to accomplish the territorial and administrative reorganization of the school districts of the state and defining the powers, duties and procedures of the same; providing the minimum qualifications for school districts, the methods of creating, abolishing and dissolving the same and the distribution of the property and indebtedness thereof; providing the qualifications, mode and time of election and powers and duties of school district trustees; providing the method of acquisition and disposition of school sites and other school property; and providing a procedure for the holding of all school elections other than bond elections."	115, 391, 402.
221	Introduced by Loman, Bradford, Seymour, Leuthold: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as amended by chapter 177, Laws of 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the state of Montana; providing for salary increases and change in qualifications; and repealing all acts and parts of acts in conflict herewith."	115, S-253.
Sub. 221	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as amended by chapter 177, Laws of 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing for a salary increase; repealing all acts and parts of acts in conflict herewith; and containing an effective date."	253, 257, 278, 299, 300, 302, 531, 569, SA-584, 608, 627.
222	Introduced by Bardanouve: A bill for an act entitled:	

No.	Title of Bill	Page
	"An act to repeal section 3-2703, R.C.M. 1947, providing for an annual \$20,000.00 appropriation for rodent control."	115, 213.
223	Introduced by Page, Johnson, Broeder, Stearns, Crum, Hilling: A bill for an act entitled: "An act to provide for the transfer of excess moneys in the veterans' compensation fund to the general fund by providing that the Board of Examiners shall determine the amount of the lawful claims against said fund; empowering the Board of Examiners to require reports from the director of the adjusted compensation division; and providing that the Board of Examiners shall order the State Treasurer to transfer all moneys in the veterans' compensation fund in excess of the amount of claims against said fund to the general fund."	116, 293, 309, 345, 353, 363, 531.
224	Introduced by Page, Johnson, Stranahan, Nelstead, Stearns, Broeder, Crum, Schye, Loman: A bill for an act entitled: "An act providing for the transfer to the general fund of the State of Montana, the sum of \$130,000 constituting the surplus in the oil and gas conservation fund over and above the amount actually required to carry out the purposes for which said fund was created; requiring the State Treasurer to withdraw from the oil and gas conservation fund said sum of \$130,000 and to deposit the same to the credit of the general fund; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	116, 293, 309, 345, 346, 352, 531.
225	Introduced by Page, Stearns, Stranahan, Nelstead, Gustafson, Broeder, Crum, Hilling, Loman, Schye: A bill for an act entitled: "An act providing for the transfer to the the general fund of the State of Montana the sum of \$200,000 constituting the present surplus in the state aviation fund over and above the amount actually required to carry out the purposes for which said fund was created; requiring the State Treasurer to withdraw from the state aviation fund said sum of \$200,000 and to deposit the same to the credit of the general fund; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	116, 408, 412, 445.
226	Introduced by Page, Stearns, Johnson, Broeder, Nelstead, Schye, Crum, Hilling, Loman; A bill for an act entitled: "An act to provide for the transfer to the general fund of the State of Montana the sum of one million five hundred thousand dollars (\$1,500,000) constituting the surplus in the hail insurance reserve fund over and above the amount actually required to accomplish the purposes for which said fund was created; requiring the State	

No.	Title of Bill	Page
	Treasurer on the effective date of this act to withdraw said sum of one million five hundred thousand dollars (\$1,500,000) from the hail insurance reserve fund and to deposit the same to the credit of the general fund; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	116.
227	Introduced by Page, Johnson, Stearns, Schye, Nestead, Hilling, Broeder, Crum: A bill for an act entitled: "An act permanently suspending the powers of the state board of hail insurance and certain other state and county officers to effect crop hail insurance; requiring said board to liquidate and wind up its operations, business and affairs on or before June 30, 1961; providing for the disposition of the physical property, records and files of said board; requiring the State Treasurer to transfer to the state general fund all unencumbered balances as of July 1, 1961, in the state hail insurance reserve fund, the hail insurance administrative fund and all other funds of said board: repealing all acts and parts of acts in conflict herewith; and providing an effective date."	116, 318, 328, 357, 368, 372, 531.
228	Introduced by Spahr, Bradford, Conklin: A bill for an act entitled: "An act to appropriate money to the State Hospital from the special alcoholism fund established by section 4-123, R.C.M. 1947, as amended, for the detention, care and treatment of inebriates."	116, S-544.
Sub. 228	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the state hospital from the special alcoholism fund established by section 4-123, R.C.M. 1947, as amended, for the detention, care and treatment of inebriates and for educational purposes."	544, 546, 563, 580, 583.
229	Introduced by Spahr, Bradford, Conklin: A bill for an act entitled: "An act relating to the amount and use of the fee to obtain an individual permit to purchase liquor; amending section 4-123, R.C.M. 1947, to provide that such fee shall be increased to one dollar and fifty cents (\$1.50), to provide that one dollar (\$1.00) of the fee shall be placed in a fund and used only for the support of a program to prevent alcoholism and treat inebriates in Montana, and to provide that appropriations for such purposes shall be made from such fund."	116, 394, 404, 431, 436, 440, 564.
230	Introduced by Anderson (Yellowstone), Daniels: A bill for an act entitled: "An act creating the Montana board of shorthand reporters, its purpose and defining 'certified shorthand reporter'; providing for appointment to the board and qualifi-	

No.	Title of Bill	Page
	<p>cations; providing for terms of office on the board, its officers and bond of treasurer; providing powers of the board, qualifications of applicants, examinations, examination fee, expenses of the board, disposition of fees, reciprocal privileges; providing for revocation of licenses, penalty and certification; repealing all acts and parts of acts in conflict herewith; providing an effective date of the act."</p>	117, 196.
231	<p>Introduced by Broeder, Conklin, Daniels, Loman: A bill for an act entitled: "An act to amend section 66-114 of the Revised Codes of Montana of 1947, which was enacted as section 2 of chapter 190 of the Laws of 1953 and was amended by section 2 of chapter 68 of the Laws of 1957, relating to the maximum rates of compensation which may be paid by the state, counties, cities and school districts to architects for services rendered in planning and construction of public buildings, by increasing certain maximum fees therein set forth, by adding gymnasiums to the buildings listed in conventional types of buildings, and by providing the maximum fees designated therein shall apply to individual buildings within a project and to individual contracts for the same building, and to amend section 66-115 of the Revised Codes of Montana of 1947, which was enacted as section 3 of chapter 190 of the Laws of 1953, relating to payment by the state, counties, cities, and school districts to architects for extra services and providing when all compensation due architects may be distributed and paid, by adding certain clarifying language and by providing architects shall be paid in accordance with the compensation schedule for work requested by the owner but abandoned by the owner in whole or in part; repealing all acts and parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after its passage and approval."</p>	117, 271, 309, 345, 353, 364, 377, 381, 583, 608, 627.
232	<p>Introduced by Lucas, Picard, Hazelbaker, Sullivan (Deer Lodge), Harper, Judge: A bill for an act entitled: "An act to amend section 11-1912 of the Revised Codes of Montana, 1947, as amended by chapter 183 of the Session Laws of the State of Montana, 1949, as amended by chapter 107 of the Session Laws of the State of Montana, 1959, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."</p>	117, 311, 346, 365, 377, 382, 473.
233	<p>Introduced by Anderson (Yellowstone): A bill for</p>	

No.	Title of Bill	Page
	an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however, described, and providing that this act may be cited as 'the 1961 bond validating act'; containing a repealing clause and providing an effective date."	117, 187, 201, 218, 219, 226, 289, 318, 319, 396, 435.
234	Introduced by Dykstra, Loman, Haines: A bill for an act entitled: "An act to amend section 40-3126, Revised Codes of Montana 1947, as added by chapter 286, Session Laws of 1959, relating to investments of insurance companies in real estate mortgages; providing for an effective date for this act; and repealing all acts and parts of acts in conflict herewith."	120, 165, 187, 200, 212, 219, 226, 289, 299, SA-306, 324, 396, 435.
235	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend section 92-1001, Revised Codes of Montana, 1947, and section 92-1002, Revised Codes of Montana, 1947, section 92-1006, Revised Codes of Montana, 1947, relating to the election of employers to become subject to compensation plan No. 2 and relating to the filing of records pertaining thereto with the Industrial Accident Board of the State of Montana; clarifying the Workmen's Compensation Act with respect to the exclusion of public corporations and those contracting with public corporations from employers who may elect to be bound by plan No. 2; providing for the filing of records relating to the election of employers to be bound by plan No. 2 upon records prescribed by the board, and providing for the filing of certificates of insurance in lieu of insurance policies; and repealing all acts and parts of acts in conflict herewith."	120, 174, 194, 212, 219, 224, 473, 486, 529, 530.
236	Introduced by Daniels: A bill for an act entitled: "An act prohibiting persons committed to the state prison from holding hostages or from unlawfully holding persons against their will and fixing the penalty therefor; and providing for an effective date."	120, 220, 247, 263, 270, 273, 505, 527, 528, 575, 654.
237	Introduced by Daniels: A bill for an act entitled: "An act to amend section 94-602, R.C.M., 1947, concerning the crime of assault in the second degree to provide for increasing the punishment	

No.	Title of Bill	Page
	by imprisonment in the state prison for six (6) instead of five (5) years."	120, 221, 253, 269, 278, 282, 505, 527, 528, 575, 654.
238	Introduced by Daniels: A bill for an act entitled: "An act providing for the time of commencement of term of imprisonment in the state prison fixed by judgment rendered when person then under sentence of commitment to the state prison; and to provide for an effective date."	120, 229, 253, 269, 278, 282, 505, 527, 528, 575, 654.
239	Introduced by Daniels: A bill for an act entitled: "An act relating to deadly weapons; prohibiting the carrying or possession of deadly weapons by persons committed to the Montana State Prison and fixing the penalty therefor; and providing for an effective date."	120, 221, 253, 269, 278, 282, 505, 527, 528, 575, 655.
240	Introduced by Haughey, Haines, Anderson (Yellowstone), Seymour: A bill for an act entitled: "An act to provide for the creation, organization and management of metropolitan improvement districts in thickly populated areas; authorizing the boards of county commissioners throughout the State of Montana, where the improvements contemplated will, or the properties which will be benefited by such improvements, lie in a thickly populated area partly within and partly without the boundaries of an incorporated city, town or municipality, to create such districts in the county of their jurisdiction for the purpose of building, constructing, maintaining or replacing any one or any combination of the following improvements: Alley or street paving and base material, curbs, gutters, sidewalks, cross-walks, culverts, bridges, sanitary sewers, storm sewers, drains, manholes, water works, water mains, water pipes, hydrants, light systems, retaining walls, fences along or lining of any material in ditches, canals, drains, rivers, streams or other water courses, covered conduits which can be installed in but yet convey the water flowing in ditches, canals, drains, rivers, streams or other water courses; authorizing said boards to contract with respect to said improvements, to issue warrants or bonds in payment therefor and to levy against all benefitted land special assessments constituting a lien on such land for the purpose of retiring such warrants or bonds; prescribing the procedures to be followed, the hearings to be conducted, and the notices to be given in connection with such districts and improvements; authorizing said boards to accept contributions from the United States or any other source for the purpose of defraying all or any part of the cost of said improvements; preserving the right, where no metropolitan district	

No.	Title of Bill	Page
	has been established for the construction or maintenance of a desired improvement, to create improvement districts under other provisions of the Revised Codes of Montana, 1947, for the purpose of making such desired improvements; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date."	120, 310.
241	Introduced by Anderson (Yellowstone), Daniels, Harper, Goan, Thompson: A bill for an act entitled: "An act to amend sections 10-611 and 10-633, Revised Codes of Montana, 1947, relating to hearings had in juvenile courts: Providing for the admission of the general public and publicity in certain cases; repealing all acts or parts of acts in conflict herewith, and providing for an effective date of this act."	121, 278, 295, 340, 346, 351, 505, 527, 528, 575, 655.
242	Introduced by Daniels: A bill for an act entitled: "An act to be known as the Montana water well contractor's license act; declaring that the drilling or making of water wells is a business affecting the public interest; creating the water well contractor's examining board of the State of Montana; providing for its members, terms, oath, seal and employees; providing for the powers and duties of the board; providing for the issuance of licenses by the board and fees to be charged therefor; providing for the term of the license year; providing for examination and qualifications of applicants for licenses; providing for a bond to be approved by the board; providing for revocation and suspension of licenses; providing for appeals for licensees from decisions of the board; providing that no action or counterclaim can be maintained except by licensee; repealing all acts and parts of acts in conflict herewith; providing an effective date of the act."	121, 329, 349, 376, 404, 431, 432, 436, 439, 578, 591, SA-601, 650, 651, 666.
243	Introduced by Seymour, Murray, Bradford, Healy, Keller, Conklin: A bill for an act entitled: "An act to amend section 11-1832 of the Revised Codes of Montana, 1947, relating to a minimum wage to be paid police officers in cities of the first and second class; providing the amount of such minimum wage; providing for an annual percentage increase; and repealing all acts and parts of acts in conflict herewith."	121, 340, 356, 391, 402.
244	Introduced by Conklin, Haines, Broeder, Sullivan (Silver Bow): A bill for an act entitled: "An act to provide for the vocational rehabilitation of industrially injured workmen; providing for the allocation of funds therefor from the industrial	

No.	Title of Bill	Page
	insurance fund; providing for the voluntary participation of employers and insurers coming under plan one and plan two of the Workmen's Compensation Act; and providing for the administration thereof by the Division of Vocational Rehabilitation of the Montana State Board of Education; and repealing all acts and parts of acts in conflict herewith."	121, 174, 194, 212, 216, 280, 318, 319, 396, 434.
245	Introduced by Haines, Judge, Picard: A bill for an act entitled: "An act relating to credit unions; creating new sections to provide a comprehensive revision and consolidation of the laws of the State of Montana relating to credit unions; regulating the incorporation, formation, operation and supervision of the affairs of credit unions; and repealing title 14, chapter 1, Revised Codes of Montana, 1947, as amended, and all other acts and parts of acts in conflict herewith."	121, 304.
246	Introduced by Stimatz, Judge: A bill for an act entitled: "An act to amend section 92-502, Revised Codes of Montana, 1947, as last amended by chapter 170 of the Montana Session Laws of 1953, relating to the vesting of escheated property in the state and the time of vesting thereof; providing a presumption of failure of title; providing for payment of certain expenses of escheats by the treasurer upon the judgment of escheat; providing for discovery; repealing acts in conflict; providing an effective date."	122, 242.
247	Introduced by Raundal, Leuthold, Haughey, Hanks: A bill for an act entitled: "An act relating to agricultural seeds; amending section 3-802, R.C.M. 1947, to provide for prohibition of certain grass mixtures and permitting others; providing a definition; containing an effective date."	122, 202, 242, 257, 270, 274, 518, 539, SA-558, 582, 583, 627.
248	Introduced by Sullivan (Silver Bow): A bill for an act entitled: "An act to amend section 11-3518, Revised Codes of Montana to provide for protection of tenure and police reserve fund rights for police officers in cities and towns which become merged into consolidated county municipalities."	122, 265, 295, 308, 309, 314, 554, 582, 583, 627.
249	Introduced by Sullivan (Silver Bow): A bill for an act entitled: "An act to amend section 11-3523, Revised Codes of Montana, to provide for the continuance, creation, support, financing, dissolution, management and change of boundaries of voluntary fire districts in consolidated county	

No.	Title of Bill	Page
	municipalities; and repealing all acts and parts of acts in conflict herewith."	122, 265, 295, 308, 309, 314, 555, 579, SA-586, 622, 623, 627.
250	Introduced by Sullivan (Silver Bow): A bill for an act entitled: "An act to amend section 11-3524, Revised Codes of Montana to provide for protection of tenure, disability and pension fund rights for firemen in cities and towns which become merged into consolidated county municipalities.".....	122, 265, 295, 308, 309, 315, 555, 579, SA-585, 622, 623, 627.
251	Introduced by Johnson, Bentz, Keller, Thompson: A bill for an act entitled: "An act to amend section 40-3319 as enacted by section 163 of Chapter 286 of the Laws of Montana of 1959, by providing temporary insurance agent licenses."	127, 361.
252	Introduced by Bradford, Anderson (Yellowstone), Blewett, Stimatz: A bill for an act entitled: "An act to amend section 94-2507 (10959), Revised Codes of Montana, 1947, relating to the definition of voluntary and involuntary manslaughter; providing for definition of manslaughter by motor vehicle; and to amend section 94-2508 (10960), Revised Codes of Montana, 1947, relating to punishment for manslaughter by motor vehicle; repealing all acts or parts of acts in conflict herewith."	127, 203, 242, 257, 270, 276, 387, 496.
253	Introduced by Bradford, Anderson (Yellowstone), Blewett, Stimatz: A bill for an act entitled: "An act to amend section 94-801-1 (12433) Revised Codes of Montana, 1947, relating to the disposition of fines, costs and forfeitures; by providing for disposition of forfeitures in certain cases to a wife, or guardian or custodian of a minor child; and by repealing all acts or parts of acts in conflict herewith."	127, 203, 242, 257, 270, 276, 463, SA-500, 544, 545, 581, 609.
254	Introduced by Bradford, Anderson (Yellowstone), Blewett, Stimatz: A bill for an act entitled: "An act to amend section 10-602, Revised Codes of Montana, 1947, relating to the definitions of 'delinquent child'; by providing for additional crimes with which a child over the age of sixteen (16) may be prosecuted in the criminal courts in accordance with the provisions of the criminal laws of this state; and by repealing all acts or parts of acts in conflict herewith."	127, 203, 232, 234, 264.

No.	Title of Bill	Page
255	Introduced by Kolar, Haughey: A bill for an act entitled: "An act to validate and confirm sales or dispositions heretofore made or attempted to be made by any county of any property in which such county had or claimed any right, title or interest, and all instruments of transfer or conveyance heretofore made or executed by any county, and to declare that all such sales, dispositions and instruments have vested in the grantee or purchaser, as of the date thereof, such right, title and interest as is purported to be transferred by such county in and to the property described or covered; containing a repealing clause and providing for an effective date."	127, 220, 242, 263, 268, 278, 284, 517, 528, 575, 655.
256	Introduced by Bentz (by request): A bill for an act entitled: "An act to appropriate money for the purpose of repayment of corporation license tax erroneously paid to the State of Montana by the Bank of Belle Fourche of Belle Fourche, South Dakota, and authorizing the repayment of the same from the general fund of the State of Montana."	127, 349, 361.
257	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend section 92-605, Revised Codes of Montana, 1947, relating to the presumption of of an election by a contractor and his employees to come under an employer's plan of workmen's compensation, and providing, in certain cases, for liability by employers for workmen's compensation benefits to employees of independent contractors engaged by such employers, and repealing all acts and parts of acts in conflict herewith."	128, S-278.
Sub. 257	Introduced by Committee on Labor and Compensation: A bill for an act entitled: "An act to amend section 92-605, Revised Codes of Montana, 1947, relating to the presumption of an election by a contractor and his employees to come under an employer's plan of workmen's compensation, and providing, in certain cases, for liability by employers for workmen's compensation benefits to employees of independent contractors engaged by such employers, and repealing all acts and parts of acts in conflict herewith."	278, 281, 300, 327, 339, 353, 362, 472, 496, 514, 515, 532, 604, 605, 606, 663, 666.
258	Introduced by Hazelbaker, Broeder, Hilling, Conkline, Cerovski: A bill for an act entitled: "An act to amend section 53-617, replacement volume No. three (3), Revised Codes of Montana, 1947, as amended by section 1, chapter 103, Laws of 1959, relating to a sales tax on new passenger vehicles, by clarifying said section by specifically stating that new passenger motor vehicles are subject to	

No.	Title of Bill	Page
	a sales tax even when in the state on the first day of January and are not subject to any other assessment or taxation; and repealing all acts and parts of acts in conflict herewith."	128, 330, 353, 390, 402, 426, 450, 451, 518, 539, SA-560, 582, 583, 627.
259	Introduced by Judge, Jensen (Lake), Schwinden, Bardanouve: A bill for an act entitled: "An act to encourage and promote industrial and economic development in Montana creating a utilization research laboratory and funds; appropriating funds to continue and promote experiments for the utilization and development of suitable and potentially useful materials indigenous or adaptable to growth in this state; providing for the establishment of a utilization research laboratory; repealing conflicting acts."	128, 288.
260	Introduced by Nichols, Burrell, Jensen (Lake): A bill for an act entitled: "An act to amend section 84-1817 of the Revised Codes of Montana, 1947, relating to the distribution of state highway construction funds to provide that boards of county commissioners may withdraw state highway construction funds credited to their respective counties under existing formulas, and to provide that the boards of county commissioners shall use said funds for construction, reconstruction and maintenance of adequate secondary roads of standards set by such board of county commissioners; and providing for an effective date."	128, 347.
261	Introduced by Stimatz: A bill for an act entitled: "An act relating to special powers of county commissioners to levy taxes for civic centers, youth centers and recreation centers; authorizing a two (2) mill levy instead of a one (1) mill levy, by amending section 16-1179, R.C.M. 1947; containing a general repealer clause; containing an effective date."	128, 245.
262	Introduced by Cеровski, Bardanouve, Abel, Twedt: A bill for an act entitled: "An act to appropriate money from the highway fund to construct a bridge across the Missouri river."	128, 355, 374, 402, 404, 416.
263	Introduced by Leuthold, Hanks, Higham, Melcher, Jensen (Lake): A bill for an act entitled: "An act to provide for the regulation of the distribution of commercial and customer-formula feeds for animal consumption; providing for the administration of the act by the commissioner of agriculture; providing for the registration of commercial feeds with the commissioner of agriculture; providing that commercial feeds distributed in this state must bear a label containing the feed's weight, name, guaranteed content analysis,	

No.	Title of Bill	Page
	name of distributor; providing that customer-formula feeds shall be labeled by invoice; providing that labels of commercial or customer-formula feeds indicate any medication included in such feeds; providing for the payment of inspection fees on commercial feeds to the commissioner of agriculture; providing for the invoicing of customer-formula feeds; defining and prohibiting the adulteration of commercial and customer-formula feeds; defining and prohibiting the misbranding of commercial and customer-formula feeds; providing for inspection and analysis of commercial and customer-formula feeds, and the business records required to be kept by the act; providing authorization for the commissioner of agriculture to promulgate rules and regulations for the administration of this act; providing for condemnation or confiscation of feeds distributed in violation of this act; providing penalties for the violation of this act are misdemeanors; providing authorization for the commissioner of agriculture to publish information concerning the sale of commercial feeds; providing a severability clause; providing an effective date; and providing for the repeal of sections 3-2001, 3-2002, 3-2003, 3-2004, 3-2005, 3-2006, 3-2007, 3-2008, 3-2009, 3-2010, 3-2011, R.C.M., 1947."	128, 329, 386, 429, 441, 445, 447, 517.
264	Introduced by Wayrynen, Pierce, Seymour, Emmons, Bush, Picard, Mathers, Reinecke, Daniels: A bill for an act entitled: "An act relating to game animals; outlawing contests which are based upon the size or weight of a game animal or part of a game animal; providing a penalty."	129, 270, 295, 321, 322, 326, 472, 496, SA-499, 527, 528, 575, 655.
265	Introduced by Aasheim, Schwinden, Bardanouve, Daniels, Raundal, Cerovski: A bill for an act entitled: "An act to amend section 53-615, R.C.M. 1947, to exempt motor trucks and truck trailers weighing 6,000 pounds or less from the payment of gross vehicle weight fees."	132, 330.
266	Introduced by Hawks: A bill for an act entitled: "An act to amend section 11-1001, Revised Codes of Montana, 1947, as amended by chapter 63, Laws of 1957, providing for the authorization of cities and towns to furnish water to industries and to persons without city limits and for other purposes; repealing all acts or parts of acts in conflict herewith; and providing an effective date."	132, 310, 345, 353, 364, 377, 382, 518, 539, SA-560, 582, 583, 627.
267	Introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to amend sections 60-205,	

No.	Title of Bill	Page
	60-206, 60-207, 60-208, 60-209, 60-213, Revised Codes of Montana, 1947, relating to the standards of petroleum products sold, offered for sale, or exposed for sale in Montana; providing new standards of grade, quality and strength of petroleum products sold, offered for sale, or exposed for sale in Montana; changing provisions for sale of summer and winter grade gasoline; providing for the labeling of nonconforming products; and containing a repealing clause."	132, S-246.
Sub. 267	Introduced by the Committee on Business and Industry: A bill for an act entitled: "An act to amend sections 60-205, 60-206, 60-207, 60-208, 60-209, 60-213, Revised Codes of Montana, 1947, relating to the standards of petroleum products sold, offered for sale, or exposed for sale in Montana; providing new standards of grade, quality and strength of petroleum products sold, offered for sale, or exposed for sale in Montana; changing provisions for sale of summer and winter grade gasoline; providing for the labeling of nonconforming products; and containing a repealing clause."	246, 250, 270, 292, 295, 298, 532.
268	Introduced by Barnard, Schwinden: A bill for an act entitled: "An act to define the time allowed for filing petitions for nominations as being before the hour of five (5) o'clock p.m. on any day not less than forty (40) days before the date of the primary nominating election by amending section 23-912 of R.C.M. 1947."	132, 195, 232, 252, 258, 261, 435, 451, 452, 461, 504.
269	Introduced by Wright, Stearns, Abel, Lewis: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; and providing for an increase in salaries not to exceed six hundred (600) dollars in certain counties; and containing a repealing clause."	132, S-333.
Sub. 269	Introduced by Committee on Townships and Counties: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; and providing for an increase in salaries; and containing a repealing clause."	333, 338, 391, 406, 412, 420, 490, 491, 554, 582, 583, 627.
270	Introduced by Barnard: A bill for an act entitled: "The realty certificate act"; providing that an instrument transferring real property interests filed for recording shall be accompanied by a	

No.	Title of Bill	Page
	certificate containing certain information relating to the property transferred, and amending section 16-2915, R.C.M. 1947."	132, 286, S-335.
Sub. 270	Introduced by Committee on Judiciary: A bill for an act entitled: "The realty certificate act"; providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R.C.M. 1947."	335, 338, 354, 390, 391.
271	Introduced by Dykstra (by request): A bill for an act entitled: "An act to amend section 16-2012 of the Revised Codes of Montana, 1947, relating to bonds issued by counties."	132, 220, 247, 263, 270, 274, 463, 496, SA-501, 544, 575, 655.
272	Introduced by Blewett, Daniels, Haines, Hanks: A bill for an act entitled: "An act to amend sections 66-905, 66-906, 66-910, 66-911, and 66-917 of the Revised Codes of Montana of 1947, the same being sections of the Montana dentistry regulation act; to authorize the state board of dental examiners to recognize certificates granted by the national board of dental examiners in lieu of or subject to examination; to provide for increasing certain fees payable under the provisions of said act, and providing penalties for late payment of fees; to require making and preserving work authorizations for the construction, making, altering or repairing of bridges, crowns, dentures, or other prosthetic appliances or surgical appliances or orthodontic appliances by persons other than licensed dentists; to limit advertising by persons other than licensed dentists employed or engaged in constructing, making, altering or repairing of bridges, crowns, dentures, or other prosthetic appliances or surgical appliances or orthodontic appliances; to provide for injunction suits to enjoin violations of the Montana dentistry regulation act; to limit the publication of professional cards and other advertising by dentists and to repeal all acts and parts of acts in conflict herewith."	135, 213, 247, 263, 270, 272, 358, 378, 379, 461, 481.
273	Introduced by Picard, Healy, Eskildsen: A bill for an act entitled: "An act to provide that, lawn, garden or flower seeds to be offered for sale at wholesale or retail in the State of Montana to be properly tagged and dated to appraise the purchaser of certain information relative to the contents of the seed, weed content, and germination; to prescribe duties of the commissioner of agri-	

No.	Title of Bill	Page
	culture and the director of the Montana grain inspection laboratory and to provide for penalties for non-compliance with this act."	135, 202, 242, 257, 270, 276, 579, 591, SA-603, 650, 651, 666.
274	Introduced by Page, Schye, Crum, Hilling, Rosell, Nelstead, Thompson, Goan, Haines, Kolar, Pierce, Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and domestic savings and loan associations, of amounts paid or credited to members as dividends on their withdrawable accounts, if such amounts paid or credited are withdrawable upon notice of intention to withdraw; and, the amount by which twelve (12) per cent of the total withdrawable accounts at the close of each year exceeds the sum of its surplus, undivided profits, and reserves at the beginning of the taxable year; providing a savings clause; providing an effective date; and repealing all acts and parts of acts in conflict herewith."	135, S-248.
Sub. 274	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and domestic savings and loan associations of the amount of dividends paid in cash or credited to the accounts of members within the year, and the amount of interest paid within the year on indebtedness incurred in the operation of the business from which its income is derived and the net addition required by law to be made within the year to reserve funds; providing a savings clause; providing an effective date; and repealing all acts and parts of acts in conflict herewith."	248, 250, 295, 303, 304, 321, 322, 326, 531.
275	Introduced by Dykstra, Page: A bill for an act entitled: "An act to amend section 82-1511, Revised Codes of Montana, 1947, relating to the state hail insurance fund and the hail insurance administrative fund and the duties of the state treasurer and the state board of hail insurance, respectively, with respect thereto; requiring that all interest and earnings obtained by the state treasurer for such monies shall be credited to the state general fund; providing an effective date; and repealing all acts and parts of acts in conflict herewith."	136.
276	Introduced by Dykstra, Page: A bill for an act	

No.	Title of Bill	Page
	entitled: "An act to amend section 82-1507, Revised Codes of Montana, 1947, as amended by chapter 20, Laws of the Thirty-fifth Legislative Assembly, 1957, relating to the scope and object of the levy for state crop hail insurance and the state hail insurance reserve fund; deleting provisions authorizing refund to farmers of annual state crop hail insurance underwriting profits and requiring transfer thereof to state general fund; providing an effective date; and containing a repealing clause."	136.
277	Introduced by Nichols, Haines: A bill for an act entitled: "An act to amend section 4-108 of the Revised Codes of Montana, 1947, as amended by chapter 140, Laws of the Thirty-first Legislative Assembly, 1949, as further amended by chapter 183, Laws of the Thirty-second Legislative Assembly, 1951, and as further amended by chapter 235, Laws of the Thirty-fifth Legislative Assembly, 1957, relating to the fixing of salaries of the administrative officers and other employees of the Montana liquor control board; deleting the limitations on the maximum annual salaries that may be paid to the assistant state liquor administrator and other employees of said board; and repealing all acts and parts of acts in conflict herewith."	136, 366.
278	Introduced by Crum, Haughey: A bill for an act entitled: "An act to provide for separate rows or columns to be assigned each of the two major political parties as defined in section 23-1107, R.C.M. 1947; to specify the arrangement of the general election ballot on voting machines; to provide for equal rotation between the two major parties of assignment and placement of party rows; to provide for the row or column placement of the nonpartisan judicial ballot by amending sections 23-1608 enacted as section 1, chapter 20, Session Laws of 1959 and 23-1608A, R.C.M. 1947, enacted as section 2, chapter 20, Session Laws of 1959."	136, 202.
279	Introduced by Hazelbaker, Lord: A bill for an act entitled: "An act to repeal sections 27-401 and 27-402, R.C.M. 1947; 27-403 through 27-407, R.C.M. 1947, as amended by sections 1 through 5, chapter 192, Laws of 1959; 27-408 R.C.M. 1947; 27-409, R.C.M. 1947, as amended by section 6, chapter 192, Laws of 1959; 27-410 R.C.M. 1947, as amended by section 7, chapter 192, Laws of 1959; 27-411 and 27-413 R.C.M. 1947; 27-414 R.C.M. 1947, as amended by section 8, chapter 192, Laws of 1959; 27-415 R.C.M. 1947; 27-416 R.C.M. 1947, as amended by section 9, chapter 192, Laws of 1959; 27-417, 27-418 and 27-420 through 27-425 R.C.M. 1947; 27-426 through 27-429, as enacted by sections 10 through 13, chapter 192, Laws of 1959, relating to supervision of milk industry and pro-	

No.	Title of Bill	Page
	viding for transfer of assets, appurtenances and funds of the state milk control board; repealing all acts and parts of acts in conflict herewith and providing for an effective date."	136, 293.
280	Introduced by Abel, Haines: A bill for an act entitled: "An act to revitalize the state militia relating to the Montana national guard by amending section 77-117, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for the salary of the adjutant general to be set by the state board of examiners and for an assistant adjutant general for army and an assistant adjutant general for air with the rank of brigadier general; by amending section 77-118, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for an increase to five hundred dollars (\$500.00) for the cost bond running to the State of Montana when any suit is commenced against an officer or enlisted man; by amending section 77-121, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for retirement of commissioned officers without pay at age sixty (60) or upon withdrawal of federal recognition by repealing section 77-124, Revised Codes of Montana, 1947, replacement volume 5, as amended; by repealing section 77-137, Revised Codes of Montana, 1947, replacement volume 5, as amended; by repealing section 77-138, Revised Codes of Montana, 1947, replacement volume 5, as amended; by amending section 77-139, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for voluntary retirement without pay of commissioned officers and enlisted men after twenty years of creditable military service; by amending section 77-140, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for medical certificates by medical officers of all services; by repealing section 77-152, Revised Codes of Montana, 1947, replacement volume 5, as amended by amending section 77-156, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for a fifteen consecutive day annual encampment; by amending section 77-157, Revised Codes of Montana, 1947, replacement volume 5, as amended, to provide for a limitation of fifteen consecutive days on military leaves of absence for state employees; by amending section 77-161, Revised Codes of Montana, 1947, replacement volume 5, as amended to delete the payment of two dollars (\$2.00) daily to each man who requires a horse for encampment; and by providing for the repealing of all acts and parts of acts in conflict herewith."	137, 369, 396, 411, 412, 423.
281	Introduced by Spahr, Regan: A bill for an act entitled: "An act to provide for the operation of	

No.	Title of Bill	Page
	temporary and emergency war and veteran housing facilities by local agencies."	137, 347, 377, 445, 450, 530.
282	Introduced by Adams, Gustafson: A bill for an act entitled: "An act to provide that the state stock inspector or any other authorized person may seize beef, veal and/or hides when a brand has been mutilated or ownership cannot be determined; to provide for sale of the seized beef, veal and/or hides; to provide for disposition of the proceeds therefrom; and to provide for the rightful owner to make a claim against said proceeds."	137, S-192.
Sub. 282	Introduced by the Committee on Livestock and Ranges: A bill for an act entitled: "An act to provide that the state stock inspector or any other authorized person may seize beef, veal and/or hides when a brand has been mutilated or ownership cannot be determined; to provide for sale of the seized beef, veal and/or hides; to provide for disposition of the proceeds therefrom; and to provide for the rightful owner to make a claim against said proceeds."	192, 201, 218, 231, 238, 240, 472, 496, SA-499, 527, 528, 575, 656.
283	Introduced by Lundgren: A bill for an act entitled: "An act to amend section 75-1804, Revised Codes of Montana, 1947, relating to limitations in connection with the creation of school districts or in consolidation or changing the boundaries thereof; and containing a repealing clause."	137, 300, 346, 365, 386, 396, 400, 482, 498, 529, 577.
284	Introduced by Mernin: A bill for an act entitled: "An act requiring every person, firm, co-partnership, association, joint stock company syndicate and corporation engaged in working or operating any mine or mining property in the State of Montana from which lignite is mined, produced or extracted, to pay to the state board of equalization for engaging in and carrying on such business, certain license taxes for the exclusive use and benefit of the State of Montana: defining terms, fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof; prescribing penalties for violations of the provisions of this act; and repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	137, 243.
285	Introduced by Mernin: A bill for an act entitled: "An act to amend section 84-1302, Revised Codes of Montana, 1947, relating to coal mines license tax and certain exceptions, providing an effective date and repealing all acts and parts of acts in conflict herewith."	138, 243, 498.

No.	Title of Bill	Page
286	Introduced by Mernin, Stimatz, Lombardi, Bradford: A bill for an act entitled: "An act to make taxable under the Montana income tax law and the Montana corporation license tax law that portion of the income of nonresident individuals and corporations paid to them in the form of interest or dividends by persons, corporations, partnerships, firms, business trusts, associations and fiduciaries doing business or having income in Montana which is attributable to Montana sources; providing for withholding and payment of the state board of equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the state board of equalization, and penalties for neglect or failure to comply with the provisions of this act."	138, 243.
287	Introduced by Conklin, Sullivan (Silver Bow), Emmons, Seymour, Bush, Haines, Reed: A bill for an act entitled: "An act to amend section 11-1932, Revised Codes of Montana, 1947, pertaining to minimum wages of firemen in first and second class cities by increasing the minimum salary base; and containing a repealing clause."	138, 340.
288	Introduced by Keller, Weeks, Regan: A bill for an act entitled: "An act to amend section 27-111, R.C.M. 1947, relating to licenses from the state board of health for manufacturers and purveyors of food and drinks to provide that the state board of health may issue a single license for any combination of five (5) different types of establishments; to provide that the single license shall state the establishments licensed and the total amounts of fees collected."	138, 259, 295, 309, 316, 530.
289	Introduced by Hilling, Pierce, Sullivan (Silver Bow), Healy, Rosell: A bill for an act entitled: "An act to provide that the State of Montana and its agencies and subdivisions may not purchase or contract to purchase material supplies or services, except public utility services, from any corporation or association exempt from the payment of corporation license taxes under section 84-1501, Revised Codes of Montana, 1947; and repealing all acts and parts of acts in conflict herewith."	138, 309.
290	Introduced by Thompson (by request), Harper (by request): A bill for an act entitled: "An act to amend section 84-202, Revised Codes of Montana, 1947, relating to exemptions from taxation, to provide that real property owned by a religious denomination and occupied by licensed or ordained ministers, priests, or rabbis in the full-time employ of the religious denomination shall be exempt from taxation and providing for an effective date."	138, 331.

No.	Title of Bill	Page
291	Introduced by Melcher, Shelden, Blewett, Emmons: A bill for an act entitled: "An act to amend section 92-714, Revised Codes of Montana, 1947, and section 92-715, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of 1957, relating to the manner of payment of compensation for industrial accidents, to provide for bi-weekly payment of industrial accident compensation."	138, 195, 228, 241, 242, 251, 554, 582, 583, 627.
292	Introduced by Dykstra, Loman, Haines: A bill for an act entitled: "An act to amend section 40-3831, Revised Codes of Montana, 1947, as added by chapter 286, Session Laws of 1959, relating to nonforfeiture provisions in life insurance policies; providing for an effective date for this act; and repealing all acts and parts of acts in conflict herewith."	139, 246, 286, 295, 296, 397, 453, SA-459, 480, 529, 566.
293	Introduced by Dykstra, Murray: A bill for an act entitled: "An act to amend section 91-4201, R.C.M. 1947, relating to the accounting to the court by the trustee of a trust created under a will and the service upon beneficiaries of the notice of the day set for the hearing of the trustee's accounting, providing that service upon beneficiaries absent from the state shall be had by mailing to the beneficiary, notice of time and place of the hearing, at least ten days before the time set for the hearing; and repealing all acts and parts of acts in conflict herewith."	139, 203.
294	Introduced by Dykstra, Murray: A bill for an act entitled: "An act to amend subsection (1) of section 91-4414 of the Revised Codes of Montana, 1947, relating to the exemptions from the inheritance tax; providing that property transferred to a trust or foundation to be used for religious, charitable, educational or other public purposes within the state, shall be exempt; and repealing all acts and parts of acts in conflict herewith."	139, 242, 265, 286, 295, 296, 455.
295	Introduced by Blewett, Regan, Conklin, Bradford: A bill for an act entitled: "An act to provide for the payment of license fees for any racing association taking advantage of the provisions of section 94-2425, R.C.M. 1947; providing for collection of said license tax and for the maintaining of records by said racing associations; designating the county treasurer as the officer to be charged with the responsibility of correcting said license tax and supervising said records to be furnished by said racing association; directing that said	

No.	Title of Bill	Page
	license tax shall be paid into the general fund of the State of Montana; exception from this act, county fair boards; and providing for an effective date of this act."	139, S-354.
Sub. 295	Introduced by Committee on Ways and Means: A bill for an act entitled: "An act to provide for the payment of license tax for any racing association taking advantage of the provisions of section 94-2425, R.C.M. 1947; providing for collection of said license tax and for the maintaining of records by said racing associations; designating the county treasurer as the officer to be charged with the responsibility of collecting said license tax and supervising said records to be furnished by said racing association; directing that said license tax shall be divided between the county and the general fund of the State of Montana; providing a penalty; excepting from this act, county fair boards; and providing for an effective date of this act."	354, 356, 377, 402, 404, 413, 482, 498, 529, 577.
296	Introduced by Hazelbaker: A bill for an act entitled: "An act to amend section 92-104, Revised Codes of Montana of 1947 as amended by chapter 231 of the Laws of Montana of 1959, relating to the salary of the appointed member of the industrial accident board; repealing all acts or parts of acts in conflict herewith, and providing an effective date."	139, 366.
297	Introduced by Rosell, Aasheim, Seymour, Raundal, Mathers, Johnson, Barnard, Stimatz, Beam, Reed: A bill for an act entitled: "An act to amend section 75-2203, Revised Codes of Montana, 1947, relating to the school year and school day; establishing one hundred eighty days minimum per school year; requiring school day to meet state board of education requirements; providing for forfeiting of interest and income funds by school districts not meeting requirements; and repealing section 75-2201, Revised Codes of Montana, 1947."	139, S-375.
Sub. 297	Introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2201, Revised Codes of Montana, 1947, and to amend section 75-2203, Revised Codes of Montana, 1947, relating to the school day and school year; establishing one hundred eighty days minimum per school year; requiring school day to meet requirements; providing for forfeiting of interest and income funds by school districts not meeting requirements."	375, 376, 396, 411, 412, 424, 505, 527, 528, 575, 656.
298	Introduced by Loman, Stearns, Jensen (Lake), Conklin: A bill for an act entitled: "An act to	

No.	Title of Bill	Page
	provide for the assumption of criminal jurisdiction over certain Indians and their reservations and land as authorized by federal law; providing the time and the method thereof, and the duty of the Governor with respect thereto."	139, 203, 242, 263, 270, 274, 513.
299	Introduced by Daniels: A bill for an act entitled: "An act repealing sections 80-739, 80-740, and 80-741, Revised Codes of Montana, 1947, relating to commutation of sentence upon good behavior; good behavior allowance for convicts in certain employments, and forfeiture of commutation, with an exception."	140, 287.
300	Introduced by Daniels: A bill for an act entitled: "An act to amend section 94-7832, Revised Codes of Montana, 1947, relating to sentencing of persons found guilty of a crime or offense, by providing maximum terms of imprisonment for first and multiple offenders excepting those committed for murder, empowering the board of pardons to extend an original term of imprisonment for five years upon court approval, permitting petition to show cause why release on parole would be a threat to petitioner or the community, permitting the use of certain evidence in proceedings on said petition and authorizing petition by the board of pardons for transfer of prison inmates for mental observation and treatment; containing a repealing clause and providing an effective date."	140, 287.
301	Introduced by Daniels: A bill for an act entitled: "An act to amend section 94-9832, Revised Codes of Montana, 1947, relating to parole authority and procedure, by repealing those provisions therein setting minimum periods of confinement in Montana state prison prior to the expiration of which inmates may not be considered for parole; to repeal section 94-9833, Revised Codes of Montana, 1947, relating to conditional release; to amend section 94-9838, Revised Codes of Montana, 1947, relating to return of parole violators, by removing all references to conditional release; to amend section 94-9839, Revised Codes of Montana, 1947, relating to service of term for additional crime, by removing references to conditional release; to amend section 94-9840, Revised Codes of Montana, 1947, relating to prisoner, parolee, or conditional releasee, by removing references to conditional release, providing for a minimum two year parole period and restoration of civil rights upon discharge from parole or completion of service of sentence and requiring discharge certificates to show such restoration of civil rights; repealing all acts and parts of acts in conflict herewith and containing an effective date."	140, 287.
302	Introduced by Spahr, Conklin, Bradford: A bill for	

No.	Title of Bill	Page
	an act entitled: "An act to appropriate money to the state board of health from the special fund established by section 4-123, R.C.M. 1947, as amended, for the prevention of alcoholism in Montana through the board's alcohol education program."	140, 544.
303	Introduced by Hibbard, Hazelbaker, Wright, Anderson (Madison), Smith: A bill for an act entitled: "An act to amend section 84-4942 of replacement volume 5, of the Revised Codes of Montana, of 1947, relating to definitions in the withholding tax act of Montana; providing for a repealing clause and providing for an effective date of this act."	140, 331.
304	Introduced by Jensen (Lake), Loman, Kvaalen, Conklin: A bill for an act entitled: "An act to permit any school board within the State of Montana to accept such authority as may be granted to it by any tribal council of an Indian tribe within the State of Montana to enforce Montana school laws upon any Indian reservation within the State of Montana otherwise subject to the laws and regulations of said tribal council; providing for the enforcement of compulsory school attendance laws when permitted by said tribal council; repealing all acts and parts of acts in conflict herewith."	140, 203, 232, 252, 258, 262, 398, 412, 461, 481.
305	Introduced by Crum: A bill for an act entitled: "An act to define the term 'peddler' and other words as used herein, and to provide for the licensing, bonding, and regulation by the secretary of state of persons carrying on business as peddlers within the State of Montana, and to prescribe the manner of application and the fees for such licenses, and to prescribe procedures hereunder and the powers and duties of the secretary of state in executing and administering the provisions hereof, and to provide penalties for the violation of the provisions hereof, and to provide that with respect to the subject matter hereof the provisions hereof shall be preemptory of the regulatory powers of any other subdivision of government, and to provide for the construction of the provisions hereof, and to provide for the repeal of section 84-3101 through and including 84-3109 of the Revised Codes of Montana 1947 and all other acts and parts of acts in conflict herewith, and for other purposes."	140, 187.
306	Introduced by Conklin, Bradford, Spahr, Reinecke, Lord: A bill for an act entitled: "An act to amend section 4-421 of the Revised Codes of Montana of 1947 relating to the sale price of liquor sold by licensees and providing that licensees shall not sell liquor for consumption off the licensed premises of the licensee; repealing all acts and	

No.	Title of Bill	Page
	parts of acts in conflict and providing an effective date."	141, 288.
307	Introduced by Pierce: A bill for an act entitled: "An act relating to tourist camp grounds; amending section 69-112, 69-113, 69-114, 69-115, 69-116 and 69-117, R.C.M. 1947; changing definitions of grounds regulated to mobile home parks; creating a state mobile homes park board; requiring a twenty-five dollar (\$25.00) license; changing the fine imposed; giving the mobile homes park board powers formerly vested in the state board of health; providing for enforcement by the state highway patrol."	141, 233.
308	Introduced by Stimatz, Bradford, Murray: A bill for an act entitled: "An act creating a judicial council; prescribing the appointment and composition thereof, and defining the duties thereof."	141, 203.
309	Introduced by Rygg, Lord, Stimatz, Emmons, Bradford: A bill for an act entitled: "An act empowering the head of a state agency or institution to negotiate and sign contracts with a labor union and providing that such contracts must be approved as to form by the attorney general and countersigned by the governor."	141, 195, 215, 279.
310	Introduced by Melcher, Daniels, Anderson (Yellowstone), Nelstead, Bentz, Harper: A bill for an act entitled: "An act to provide for the creation of special improvement districts including areas outside towns or cities and including areas within incorporated towns, cities and rural areas; to own and operate television translator stations; provide a method to tax all persons who use such stations; for the levy and collection of such taxes; provide for the operation, management and control of such districts; the acceptance of gifts of property or money; for the exemption of certain persons from the provisions of the act; penalties for the violation of the act and repealing all acts in conflict herewith."	141, 192, S-378.
Sub. 310	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act to provide for the creation of special improvement districts including areas outside towns or cities and including areas within incorporated towns, cities and rural areas; to own and operate television translator stations; provide a method to tax all persons who use such stations; for the levy and collection of such taxes; provide for the operation, management and control of such districts; the acceptance of gifts of property or money; for the exemption of certain persons from the provisions of the act; penalties for the violation of the act and repealing all acts in conflict herewith."	378, 379, 396, 411, 412, 425, 578, 591, SA-600, 650, 651, 666.

No.	Title of Bill	Page
311	Introduced by Hilling, Beam, Pierce, Sullivan (Silver Bow), Conklin: A bill for an act entitled: "An act to amend sections 82-1201, 82-1206 and 82-1208, R.C.M. 1947, relating to the creation and appointment of the state fire marshal, assistant state fire marshal and special deputy state fire marshal; to provide that the governor shall appoint the state fire marshal, assistant state fire marshal and deputy state fire marshal and that said appointees shall serve at the pleasure of the governor."	141, 366
312	Introduced by Keller, Johnson, Stimatz: A bill for an act entitled: "An act to amend chapter 10, sections 71-1001 through section 71-1008, title 71, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, as amended by section 1, chapter 252, Laws of 1955, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, as amended by section 1, chapter 248, Laws of 1959, as amended by section 1, chapter 248, Laws of 1959, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955; providing for the transfer of the general supervision and total administration of this chapter from the state department of public welfare to the industrial accident board of the State of Montana; amending section 71-1001 of the Revised Codes of Montana, 1947, by deleting references to the state department of public welfare and referring instead to the industrial accident board; amending section 71-1002 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, by having the amount of payment conform to the amount of payment established by the Legislative Assembly of 1959; amending section 71-1004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, and as amended by section 1, chapter 248, Laws of 1959, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1005 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1006, of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and	

No.	Title of Bill	Page
	referring instead to the industrial accident board; amending section 71-1007 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1008 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 204 of the Laws of 1953, and as amended by section 3, chapter 252 of the Laws of 1955, by deleting references to the state department of public welfare and referring instead to the industrial accident board, and by having the amount of payment conform with the amount established by the 1959 Legislative Assembly; providing for a new section, 71-1009, requiring the transfer of the records and payrolls from the state department of public welfare to the industrial accident board and safeguarding continued payments to present recipients of silicosis benefit payments; and repealing all acts and parts of acts in conflict herewith."	141, S-403.
Sub. 312	Introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend chapter 10 section 71-1001 through section 71-1008, title 71, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, as amended by section 1, chapter 252, Laws of 1955, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, as amended by section 1, chapter 248, Laws of 1959, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955, providing for the transfer of the general supervision and total administration of this chapter from the state department of public welfare to the industrial accident board of the state of Montana; amending section 71-1001 of the Revised Codes of Montana, 1947, by deleting references to the state department of public welfare and referring instead to the industrial accident board; amending section 71-1002 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, by having the amount of payment conform to the amount of payment established by the Legislative Assembly of 1959; amending section 71-1004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, and as amended by section 1, chapter 248, Laws of 1959, by deleting references to the county departments of public welfare and the state department of public welfare and referring	

No.	Title of Bill	Page
	instead to the industrial accident board; amending section 71-1005 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1006 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1007 of the Revised Codes of Montana, 1947, by deleting references to the county department of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1008 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 204 of the Laws of 1953, and as amended by section 3, chapter 252 of the Laws of 1955, by deleting references to the state department of public welfare and referring instead to the industrial accident board, and by having the amount of payment conform with the amount established by the 1959 Legislative Assembly; providing for a new section 71-1009, requiring the transfer of the records and payrolls from the state department of public welfare to the industrial accident board and safeguarding continued payments to present recipients of silicosis benefit payments; and repealing all acts and parts of acts in conflict herewith."	403, 408, 430, 445, 448, 449, 646, 661, 662, 679.
313	Introduced by Stimatz, Daniels, Picard, Shelden: A bill for an act entitled: "An act to provide for the welfare of people who work; establishing a minimum wage for certain employees in the State of Montana; defining terms; providing for the keeping of records; providing civil remedy; providing penalties; repealing conflicting acts; providing an effective date."	142, 341.
314	Introduced by Pierce, Spahr: A bill for an act entitled: "An act to amend section 16-912, of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 4 of the Laws of 1949, as amended by section 1 of chapter 100 of the Laws of 1951, as amended by section 1 of chapter 82 of the Laws of 1955, as amended by section 1 of chapter 238 of the Laws of 1957; relating to compensation of members of the boards of county commissioners; providing for compensation of members of said boards according to classification of counties and providing annual salaries according to said classification; providing for compensation of eighteen dollars for each day's attendance on session of boards of counties not within said classification and ten cents per mile for travel between county seat and place of resi-	

No.	Title of Bill	Page
	dence when member is performing his official duties; repealing all acts and parts of acts in conflict herewith."	142, 287.
315	Introduced by Lucas, Haines, Bush, Sullivan (Silver Bow): A bill for an act entitled: "An act to permit counties to lease property to cities and towns for a term of fifty (50) years by amending section 16-1030, R.C.M. 1947."	143, 259, 295, 309, 315, 490.
316	Introduced by Page: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1961 and 1962; providing a severability clause and an effective date."	143, 182, 194, 212, 219, 225, 337, 402, 405, 426, 453, SA-457, 480, 529, 530.
317	Introduced by Jensen (Lake), Keller, Dykstra: A bill for an act entitled: "An act to repeal sections 61-127 to 61-137, both inclusive, of the Revised Codes of Montana, 1947, relating to the adoption of children; to amend section 61-205 of the Revised Codes of Montana, 1947, enacted as section 5, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, to provide that consent to adoption need not be required from a father or mother divorced and who has not contributed to the support of the child for a period of one year if able; and deleting certain exceptions; to amend section 61-210 of the Revised Codes of Montana, 1947, enacted as section 10, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to summary decree of adoption, to provide that the report specified in the previous section remains discretionary; to amend section 61-211 of the Revised Codes of Montana, 1947, enacted as section 11, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to interlocutory and final decrees of adoption, to provide that proper notices be given of the hearing before an interlocutory or summary decree of adoption may be issued; to amend section 61-140 of the Revised Codes of Montana, 1947, relating to procedure for adopting an adult; to provide for proper procedure for adoption of an adult; amending chapter 2, title 61, Revised Codes of Montana, 1947, as amended, by the addition of section 61-218, to provide for the consent of a minor parent; and repealing all acts or parts of acts in conflict herewith."	143, 368, 391, 411, 430, 434, 437, 583, 622, 623, 627.
318	Introduced by Blewett, Daniels, Emmons, E. R. Sullivan, Bradford: A bill for an act entitled:	

No.	Title of Bill	Page
	"An act to amend section 92-827, Revised Codes of Montana, 1947, as amended by chapter 170, Laws of Montana, 1959, by providing a limitation in the attorney's fee to be paid; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	143, S-304.
Sub. 318	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 92-827, Revised Codes of Montana, 1947, as amended by chapter 170, Laws of Montana, 1959, by providing a limitation in the attorney's fee to be paid; repealing all acts and parts of acts in conflict herewith."	304, 305, 345, 353, 361.
319	Introduced by Blewett, Anderson (Yellowstone), Conklin: A bill for an act entitled: "An act to amend section 15-606 of the Revised Codes of Montana, 1947, relating to the provision that five per cent of stock may demand a statement of the affairs of a corporation from the treasurer; by changing the description of the statement to be furnished from a statement embracing a particular account of all the corporation's assets and liabilities in minute detail to a statement of its assets and liabilities in a form ordinarily used and accepted in commercial transactions; and providing an effective date."	143, 196, 232, 252, 258, 262, 463, 496, SA-500, 544, 545, 581, 609.
320	Introduced by Edwards: A bill for an act entitled: "An act to amend sections 16-1601, 16-1602, 16-1607 and 16-1626, R.C.M. 1947, relating to rural improvement districts; to provide for the establishment of a special improvement district for the purpose of acquiring by purchase an existing water works; to provide for giving notice of proposed purchases of existing improvements and prescribing said notice."	143, 324, 346, 365, 377, 384, 490, 544, 575, 655.
321	Introduced by Lundgren, Higham, Murray: A bill for an act entitled: "An act to provide a voluntary consolidation incentive plan for school districts; and providing a repealing clause."	144, 367, 396, 411, 412, 426, 552.
322	Introduced by Baldwin: A bill for an act entitled: "An act to amend section 28-603 Revised Codes of Montana, 1947, as amended by section 3 of chapter 40, Laws of Montana of 1955, by providing that the amount authorized to be appropriated from the general fund of the county for fire protection shall not exceed six thousand dollars (\$6,000.00) per year."	144, 333, 346, 373, 377, 381, 473.

No.	Title of Bill	Page
323	Introduced by Broeder (by request): A bill for an act entitled: "An act to provide for issuing temporary permits to unlicensed users of all special fuel vehicles; to provide that said permits shall be issued for a minimum fee of twenty dollars (\$20.00) and shall be valid for a period of time not to exceed seventy-two (72) hours; to provide for a method of collection and disposal of said fees; to provide that the state board of equalization shall furnish said permits and forms and generally enforce this act."	145, 287, 300, 327, 340, 343, 578, 591, SA-601, 622, 623, 627.
324	Introduced by Edwards: A bill for an act entitled: "An act to amend section 75-4603 of the Revised Codes of Montana of 1947, relating to issuance of bonds by high school districts and providing that bonds may be issued to the full amount permitted by section 6 of article XIII of the Montana Constitution, as amended; and providing an effective date."	145, 375, 396, 411, 412, 424, 583, 607, 608, 627.
325	Introduced by Aasheim, Asbjornson: A bill for an act entitled: "An act to amend sections 25-232 and 25-233 of the Revised Codes of Montana, 1947, relating to fees collected by the clerks of the district courts, and increasing said fees."	145, 428.
326	Introduced by Emmons, Wayrynen, Pierce: A bill for an act entitled: "An act to amend section 84-4906, of replacement volume 5, of the Revised Codes of Montana, of 1947, relating to deductions allowed in computing net income under the Montana income tax law; allowing items in sections 161 and 211 of the internal revenue code of 1954 as deductions; and excepting from deductions state income tax paid and items contained in section 84-4909 of the Revised Codes of Montana, of 1947; allowing federal income tax paid within the taxable year as a deduction; and allowing the Montana cigarette tax under subdivision (1) of section 84-5606 of the Revised Codes of Montana, of 1947, to be deductible by the consumer; providing for a repealing clause; and containing an effective date of this act."	145, 331.
327	Introduced by Anderson (Yellowstone), Hawks, Conklin, Schwinden, Sullivan (Silver Bow), Johnson, Haines, Cerovski: A bill for an act entitled: "An act creating a Montana territorial centennial commission; authorizing such commission to employ staff help, fix salaries and make centennial plans; directing the commission to report to the 1963 Legislature; providing for the duration of the commission; appropriating funds from the general fund for the use of the commission; dir-	

No.	Title of Bill	Page
	ecting the commission to make a financial report to the 1963 Legislature; providing that the members of the commission shall serve without pay; and naming the governor and lieutenant governor as honorary chairmen of the commission."	145, 305.
328	Introduced by Gustafson, Bashor: A bill for an act entitled: "An act relating to traveling expenses of county assessors and deputies; amending section 84-444, R.C.M. 1947, to remove the allowable limits on reimbursement of expenses incurred in the performance of official duties."	145, 340.
329	Introduced by Twedt, Schwinden, Bradford: A bill for an act entitled: "An act to amend section 84-4905, Revised Codes of Montana, 1947, as amended by section 1, chapter 260, Montana Session Laws of 1955, pertaining to adjusted gross income for income tax purposes, to include amendments to date to section 62 of the internal revenue code of 1954 and add as income certain patronage dividends, refunds and rebates, and allocations of reserve to patrons from cooperatives, whether paid in cash or otherwise, provided such patronage dividends, refunds and rebates and allocations or reserve represent additional sales proceeds from a marketing cooperative or repayment of deductible expense item by a purchasing cooperative, whether such instruments have a present market value or not and required notification to patron of the dollar amount of such allocation, and repealing all acts and parts of acts in conflict herewith."	146, 259.
330	Introduced by Anderson (Yellowstone), Hazelbaker, Broeder, Cerovski, Bradford: A bill for an act entitled: "An act to provide a comprehensive revision, consolidation and classification of the laws of the State of Montana relating to the supervision, regulation and control of motor carriers transporting property and/or persons upon the public highways of the State of Montana for hire or for a commercial purpose; revising and defining the supervisory and regulatory jurisdiction of the board of railroad commissioners over the operations of such motor carriers; providing for the enforcement of this act and establishing penalties for the violation of this act; classifying and defining motor carriers and providing exemption from this act for certain types of transportation and limiting the regulation of private carriers; establishing certain requirements for the safety, insurance and identification of motor vehicles operated by motor carriers; prescribing the conditions on which the various classes of motor carriers shall operate upon the public highways of the State of Montana and requiring certain certificates and permits for such operations; providing for the application of this act to motor carriers in interstate commerce; providing for	

No.	Title of Bill	Page
	hearings, notice, orders and other regulatory procedures, and providing for judicial review of regulatory actions; providing for the imposition and collection of licenses and fees; establishing requirements for the filing and modification of rates and charges by motor carriers; providing for an effective date for this act; repealing sections 8-101 through 8-130 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	146, 242.
331	Introduced by Murray: A bill for an act entitled: "An act relating to future interests and the suspension of power of alienation and the period of time during which an interest may be destroyed; to provide that future interests will be void in their creation, which suspends the absolute power of alienation for a period of time longer than twenty-one (21) years after some life in being."....	146, 264, 607.
332	Introduced by Murray: A bill for an act entitled: "An act to repeal section 67-406, R.C.M. 1947, as amended by section 1, chapter 213, Session Laws of 1959, relating to the suspension of the absolute power of alienation; to provide the period in which absolute power of alienation can be suspended."	146, 264.
333	Introduced by Murray: A bill for an act entitled: "An act to provide the period of time during which an interest may be destroyed."	146, 265.
334	Introduced by Murray: A bill for an act entitled: "An act to provide when interests must vest and to establish the American common law rule against perpetuities."	146, 264.
335	Introduced by Murray: A bill for an act entitled: "An act to amend section 11-2707 Revised Codes of Montana, 1947, and section 11-2708 Revised Codes of Montana, 1947, providing for a term of two years for members of the board of adjustment, and providing that the county may institute actions and proceedings under this act."	147, 253, 278, 299, 304, 321, 353, 396, 400, 545.
336	Introduced by Stimatz: A bill for an act entitled: "An act to amend section 40-4601 of the Revised Codes of Montana, 1947, as amended, relating to issuing of title insurance policies; providing that no title insurance policy will be issued by a licensed abstract company unless based upon a written attorney's opinion; providing that licensed and practicing attorneys may issue title insurance policies based upon a review of pertinent title records; providing what shall be deemed title insurance; and repealing of all acts and parts of acts in conflict herewith."	147, 253.
337	Introduced by Beam, Anderson (Yellowstone),	

No.	Title of Bill	Page
	Haines: A bill for an act entitled: "An act to amend section 66-801, Revised Codes of Montana, 1947, as amended by section 1, chapter 20, Laws of 1955, and to amend sections 66-803 and 66-806, Revised Codes of Montana, 1947, relating to the practice of cosmetology, and requiring one (1) year of practice or teaching before obtaining a manager-operator license, and requiring a high school diploma or equivalent before obtaining an operator's license, and provide additional requirements relative to the establishing of minimum prices."	147, 369.
338	Introduced by Healy: A bill for an act entitled: "An act to amend section 16-1001, Revised Codes of Montana, 1947, relating to powers of supervision of boards of county commissioners; providing that said boards shall have power to pay proper charges for indemnity insurance; repealing all acts and parts of acts in conflict herewith; providing effective on passage and approval."	147, 264.
339	Introduced by Emmons, Haines, Mernin, Lombardi, Sullivan (Silver Bow): A bill for an act entitled: "An act to prohibit the employment by the State of Montana or any political subdivision thereof, or any county, city, town or school district, of persons receiving retirement payments; and providing an effective date."	147, 377.
340	Introduced by Lucas, Jensen (Lake), Abel, Bradford: A bill for an act entitled: "An act to amend sections 32-701, 32-702, 32-703, 32-704 and 32-711 of the Revised Codes of Montana, 1947, relating to public bridges; redefining the words public bridge to include all drainage structures within the corporate limits of any city or town of this state; that the proceeds of the special bridge tax levied and collected on taxable property situate within the corporate limits of any city or town shall be paid over to said city or town for its use in the construction, maintenance and repair of public bridges and streets within said city or town; providing that the city or town council, or other governing body, shall have the management and control of all bridges situate within the corporate limits of said city or town; repealing sections 32-705, 32-707 and 32-712 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	147, 287.
341	Introduced by Hazelbaker, Haughey: A bill for an act entitled: "An act to amend section 75-3413, Revised Codes of Montana, 1947, relating to school transportation; providing for reimbursement to school districts and county high schools from the state public school equalization fund; and containing a repealing clause."	147, 367, 396, 411, 412, 424, 505, 527, 528, 581.

No.	Title of Bill	Page
342	Introduced by Beam, Wayrynen, Hazelbaker, Emmons, Broeder: A bill for an act entitled: "An act to amend section 31-130, R.C.M. 1947, and 31-135, R.C.M. 1947, relating to application for drivers' licenses and issuing of licenses to provide that every application for licenses shall contain a photograph of the applicant in conformity with such rules and regulations as the Montana highway patrol board shall prescribe; to provide further that the licenses shall contain a photograph of the operator or chauffeur in accordance with such rules and regulations as the Montana highway patrol board shall prescribe; to provide for an increase in the license fee from three dollars (\$3.00) to three dollars and twenty-five cents (\$3.25)."	147, 370, 391, 411, 426, 430, 432, 577, 580, SA-588, 622, 623, 627.
343	Introduced by Pierce, Lundgren: A bill for an act entitled: "An act to amend section 79-1202 of the Revised Codes of Montana, 1947, by providing therein that moneys of the public employees retirement fund and of funds subject to investment as designated by the teachers retirement board may be invested in land and real property purchase agreements with the state highway commission subject to the limitations of any statutes authorizing such agreements; repealing all acts or parts of acts in conflict herewith; and providing that this act shall be in full force and effect from the date of its passage and approval."	148, 170, 371.
344	Introduced by Pierce, Lundgren: A bill for an act entitled: "An act to authorize the state highway commission, the board of administration of the public employees retirement act and the retirement board of the teachers retirement system, subject to the approval of the state board of land commissioners, to enter into agreements and arrangements for the purchase of lands or other real property by such boards for the future use of the state highway system; providing that not more than ten per cent (10%) of the funds of any such board may be used for such purposes at any one time; providing for the repurchase of such property by the highway commission from such retirement boards; authorizing negotiations for the payment of a negotiated annual percentage in addition to the original purchase price by the state highway commission to such boards; providing that the state highway commission shall have management and control of such property prior to payment to such board; authorizing the contracting for management of such properties prior to their use in highway construction; and repealing all acts or parts of acts in conflict herewith; and providing that this act shall be effective from the date of its passage and approval."	148, 170, 370.

No.	Title of Bill	Page
345	<p>Introduced by Broeder, Cerovski: A bill for an act entitled: "An act to amend section 53-615, replacement volume number three (3) of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 258 of the Laws of 1955 relating to a fee on motor trucks, truck tractors, trailers, semitrailers, house trailers and busses operating over and upon the highways of the State of Montana; providing for an adjustment of fees on motor trucks, truck tractors operated singly or in combination with trailers, semitrailers, and/or semitrailers and full trailers; providing three gross vehicle weight fee schedules to be designated as schedules 'A', 'B', and 'C'; providing for payment of gross vehicle weight fees on motor trucks, truck tractors operated singly or in combination with trailers, semitrailers, and/or semitrailers and full trailers, said fees to be based on total gross weight and not the number of units or combination of units; providing for an additional fee of \$50 for every 2,000 pounds or fraction thereof that any vehicle or combination unit weighs in excess of 76,800 pounds; providing for payment of a fee upon motor vehicles converted to living quarters; providing the gross weight fee for combinations of twenty-four thousand (24,000) pounds or less shall be paid when annual registration fees are paid; providing that the gross weight fee on combinations in excess of twenty-four thousand (24,000) pounds may be paid in quarterly installments only if such total fee exceeds one hundred dollars (\$100.00); providing for an increase from one dollar (\$1.00) to two dollars (\$2.00) of the additional fee for quarterly payments; repealing section 1 of chapter 251 of the Laws of 1955, relating to the payment of gross vehicle weight taxes on power units of three unit combinations of vehicles; providing this act shall be effective from and after January 1, 1962, and repealing all acts and parts of acts in conflict herewith."</p>	148, 347, 396, 411, 441, 445, 446, 552.
346	<p>Introduced by Kolar: A bill for an act entitled: "An act amending section 84-6008, R.C.M. 1947 relating to taxation of migratory personal property; to provide that merchandise assessment shall be governed by the merchants' and manufacturers' inventory act and to exempt motor vehicles of all nonresident migratory bona fide workers when used for transportation."</p>	149, 172, 341.
347	<p>Introduced by Kolar: A bill for an act entitled: "The merchants' and manufacturers' inventory act"; changing the procedure for assessing the inventory of merchants and manufacturers by requiring them to list the average value of their inventory in each month of the previous year as estimates of inventory for the current taxable</p>	

No.	Title of Bill	Page
	year, and by requiring the assessor to base the assessment on the average value of the inventory."	149, 172, 341.
348	Introduced by Haughey, Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 84-1504 Revised Codes of Montana 1947 to provide a definition of gross income in the computation of corporation license tax."	149, 337, 348, 377, 406, 412, 420, 579, 591, SA-603, 650, 651, 666, 689, 691, 693.
349	Introduced by Adams, Lundgren, Rosell, Lord: A bill for an act entitled: "An act to establish uniform procedures for changing school district boundaries; defining terms; defining power of county superintendents to effect boundary changes; providing limitations on the formation of new districts; providing for petitions; providing for protests; providing for hearings; providing for elections; providing for appeals to county commissioners; providing for procedures in joint districts and proposed joint districts; providing for issuance of orders by county superintendents; providing for dissolution and annexation of districts; providing for transfer of territory between districts; providing for dates effecting transition periods and boundary changes; providing for conducting affairs of old districts; providing for interim trustees; providing for the election of new trustees; providing for transfer of records, funds and property to new trustees; requiring new district to operate school or become void; providing for apportionment of funds and indebtedness; providing for bonded indebtedness to remain with territory incurring same; providing for liability of old and new districts; providing for notice to state board of equalization; repealing sections 75-1805, 75-1806, 75-1807, 75-1808, 75-1809, 75-1810, 75-1813, and 75-1814, Revised Codes of Montana, 1947, and all conflicting acts and parts of acts; and fixing an effective date."	149, 367.
350	Introduced by Picard: A bill for an act entitled: "An act to amend section 4-101 of the Revised Codes of Montana of 1947, relating to the policy of liquor control of the state, by removing from the classification of 'liquor' beer and malt liquor containing more than four per centum (4%) of alcohol; section 4-301 of the Revised Codes of Montana of 1947, relating to the policy of the state regarding beer, by removing references to beer, porter, ale, stout and malt liquors containing more than four per centum (4%) of alcohol as 'liquors;' section 4-302 of the Revised Codes of Montana of 1947, relating to definitions in the beer act, by removing the limitation of alcoholic content in the definition of 'beer;' section 4-308	

No.	Title of Bill	Page
	of the Revised Codes of Montana of 1947, relating to manufacture and sale of beer, by removing the exclusive privilege granted the Liquor Control Board to sell ale, porter, and stout containing more than four per centum (4%) of alcohol; section 4-341 of the Revised Codes of Montana of 1947, relating to beer license fees, by providing an additional annual license fee to be paid by wholesalers selling beer, ale, porter, and stout containing more than four per centum (4%) of alcohol; section 4-358 of the Revised Codes of Montana of 1947, relating to limitations on advertising of beer, by removing the prohibition against advertising beer containing more than four per cent (4%) of alcohol; and repealing all acts and parts of acts in conflict herewith."	149, 346.
351	Introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to municipal bonds and indebtedness; amending sections 11-2311 and 11-2312, R.C.M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers shall vote on a question of issuing a bond, instead of forty per cent (40%), and to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included in order to have a valid election on such question."	150, 172, 333, 354, 365, 373, 389, 499.
352	Introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to county finance—bonds and warrants; amending sections 16-2027 and 16-2028, R.C.M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers shall vote on a question of issuing a bond, instead of forty per cent (40%), to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included in order to have a valid election on such question."	150, 172, 333, 346, 373, 386, 389, 499.
353	Introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to qualifications and privileges of electors; creating a new section to be known as section 23-312, R.C.M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers shall vote on a question of issuing a state bond or debenture, increasing the rate of taxation or incurring state debts, and to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included, in order to have a valid election on such question."	150, 172, 333, 346, 373, 386.
354	Introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to the conduct of elections concerning public bond issues, tax levies or indebtedness; creating a new section to be known as section 23-1229, R.C.M. 1947, to pro-	

No.	Title of Bill	Page
	vide that "taxpayer" and "real estate taxpayer" ballots shall be used; to provide that certain voters shall receive such ballots according to the property upon which they pay taxes; to provide for descriptions to be placed on all ballots, and to provide that "real estate taxpayer" ballots shall be counted separately."	150, 172, 333, 346, 365, 405, 412, 422, 499.
355	Introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to qualifications and privileges of electors; amending section 23-304, R.C.M. 1947, to provide that the county clerks, when preparing poll books, shall stamp the words 'real estate taxpayer' opposite the names of some electors, instead of the word 'taxpayer'."	150, 172, 333, 346, 406, 412, 418, 499.
356	Introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to school district bonds; amending section 75-3914, R.C.M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers must vote on a question of issuing a bond, instead of forty per cent (40%), and to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included in order to have a valid election on such question."	150, 172, 333, 346, 373.
357	Introduced by Blewett, Murray, Stimatz: A bill for an act entitled: "An act granting the Supreme Court power to prescribe rules and regulations concerning the admission of attorneys at law to practice before the courts of the State of Montana; repealing section 93-2001, section 93-2002, section 93-2003, section 93-2004, section 93-2005, section 93-2007, and section 93-2015 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act."	150, 196, 232, 252, 255, 277.
358	Introduced by Aasheim, Cerovski, Kvaalen: A bill for an act entitled: "An act to amend sections 75-1728, 75-1815, 75-1816, 75-3618, 75-4533, 75-4534, 75-4535 and 75-4602, and to repeal section 75-4536, Revised Codes of Montana, 1947, relating to joint school districts; designating officials responsible for budget purposes; requiring reports to be made to officials in all counties concerned; providing procedures for budgeting; providing a method for determining the levies required; providing for distributing county funds to joint districts; providing a formula for county equalization; providing for fixing tax levies; providing for apportioning financing responsibility for a joint district high school in a high school district;	

No.	Title of Bill	Page
	containing a repealing clause; and fixing an effective date."	151, 265, 300, 327, 340, 343, 490, 553, 554, 581.
359	Introduced by Hawks: A bill for an act entitled: "An act to amend section 80-201, Revised Codes of Montana, 1947, and section 80-210, Revised Codes of Montana, 1947; providing for the change in name of the Montana State Tuberculosis Sanitarium; and providing for the care and custody of geriatrics, seniles and old soldiers at the Montana State Tuberculosis Sanitarium."	151, S-374.
Sub. 359	Introduced by the Committee on State Administration: A bill for an act entitled: "An act to amend section 80-201, Revised Codes of Montana, 1947, and section 80-210.1, Revised Codes of Montana, 1947, enacted as section 1, chapter 189, Laws of 1959, providing for the care and custody of geriatrics, seniles and old soldiers at the Montana State Tuberculosis Sanitarium."	374, 376, 396, 412, 443, 448, 449, 517, 528, 575, 609.
360	Introduced by Mernin, Schwinden: A bill for an act entitled: "An act providing for the establishment of the state public building insurance fund; providing for a supervisor thereof; that all public buildings and contents thereof with certain exceptions are deemed insured by said fund against loss by fire, etc.; providing for valuation of all property deemed insured, and the duties of the State Auditor in connection therewith, providing for reporting of losses, how determined and paid; providing it is unlawful to insure any of said buildings with any commercial or private insurer; providing for payment from said fund to fire department relief associations; providing an appropriation of two hundred and fifty thousand dollars (\$250,000) for said fund; providing for cancellation of policies and return of unearned premiums; providing penalties, a severability clause, a repealing clause, and an effective date."	151, 340, 441.
361	Introduced by Daniels: A bill for an act entitled: "An act authorizing and empowering the State Board of Examiners of the State of Montana to sell and convey certain lands situate in Powell County, Montana; described as the "Valiton Ranch," said "Valiton Ranch" being more particularly described in instruments recorded in Book 22. Deed Records of Powell County, Montana, at Pages 42, 44, and 168; to the best interests of the State of Montana; providing for appraisal of said land; providing for notice of sale; providing costs of sale and expense incidental thereto to be paid out of the proceeds of the sale; and providing the net proceeds of the sale to go to the general fund;	

No.	Title of Bill	Page
	providing for an effective date and repealing all acts and parts of acts in conflict herewith."	151, 366, 396, 412, 425, 577, 590, SA-597, 650, 651, 666.
362	Introduced by Pierce, Picard, Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 25-236 of the Revised Codes of Montana 1947, relating to the fees of coroners and 16-3408 of the Revised Codes of Montana of 1947, relating to stenographers of coroners for counties having a population by the latest federal census enumeration of 45,000 or more, to provide that in counties having a population of 40,000 or more by federal census enumeration, the coroner shall receive a salary of not to exceed five thousand four hundred dollars (\$5,400.00) per annum together with mileage, in lieu of all fees, providing that in such counties the salaries of coroners and their stenographers shall be fixed by the county commissioners; repealing all acts and parts of acts in conflict therewith; and providing for an effective date."	151, 354, 386, 406, 412, 418, 482.
363	Introduced by Picard, Laas, Jensen (Lake): A bill for an act entitled: "An act to create regulations for the awarding of contracts by the State of Montana, agencies thereof, political subdivisions thereof, school districts and other public corporations; providing for preference for Montana residents and for products manufactured and produced in this state; defining the word 'resident'; providing penalties and repealing all acts and parts of acts in conflict herewith; containing a severability clause and an effective date."	152, 301, 346, 365, 386, 396, 401, 578, 591, SA-599, 622, 623, 627.
364	Introduced by Reed, Anderson (Yellowstone), Johnson, Lucas, Rosell: A bill for an act entitled: "An act to amend section 66-802, Revised Codes of Montana, 1947, pertaining to the practice of cosmetology by exempting cosmetological artists who demonstrate for the benefit and instruction of cosmeticians."	152, 369.
365	Introduced by Bradford, Conklin, Keller: A bill for an act entitled: "An act to amend 94-2425, R.C.M. 1947, to provide that no single race track or racing facility shall be used for more than any period of time exceeding thirty (30) racing days in any one calendar year."	152, 370, 371, 379, 404, 430, 434, 437.
366	Introduced by Reed, Johnson, Lucas: A bill for an act entitled: "An act to amend section 66-803, Revised Codes of Montana, 1947, pertaining to	

No.	Title of Bill	Page
	licensing qualifications to cosmetology by requiring applicants to have a high school education and a diploma from a registered beauty school; providing that vocational trainees have eighteen months to complete the beauty course; eliminating apprentice licenses."	152, 369.
367	Introduced by Reed, Anderson (Yellowstone), Johnson, Lucas, Rosell: A bill for an act entitled: "An act to amend section 66-816, Revised Codes of Montana, 1947, pertaining to renewal of licenses and certificates by providing for a penalty for late renewal."	152, 366, 391, 411, 412, 421, 517, 528, 575, 655.
368	Introduced by Johnson, Keller, Rosell, Reed, Kolar: A bill for an act entitled: "An act to amend section 14-529 Revised Codes of Montana 1947, to provide that rural electric cooperatives and rural telephone cooperatives must file their rates and rate schedules with the Public Service Commission and may not charge rates which have not been filed with the Public Service Commission; to provide that such rates filed with the Public Service Commission shall be matters of public record and shall be posted in public places; to provide that rates charged by rural electric and rural telephone cooperatives in effect on the effective date of this act shall remain in effect until changed by such rural electric and rural telephone cooperatives; to provide that rural electric and rural telephone cooperatives may change rates in effect on the effective date of this act and may fix new rates after the effective date of this act by filing such rates with the Public Service Commission ten days prior to their effective date; providing for an effective date of this act; and repealing all acts and parts of acts in conflict therewith."	152, 361, 396, 412, 425, 564.
369	Introduced by Johnson, Reed, Rosell: A bill for an act entitled: "An act to amend section 66-806, Revised Codes of Montana, 1947, pertaining to the power of the State Board of Beauty Culturists to approve price agreements by allowing the board to initiate new or changed agreements and providing for hearings and notice."	152, 369.
370	Introduced by Rosell, Lucas, Reed, Johnson, Keller: A bill for an act entitled: "An act to amend section 66-804, Revised Codes of Montana, 1947, pertaining to the organization of the State Examining Board of Beauty Culturists by changing the name of the board and the qualifications of the board members."	152, 369.
371	Introduced by Blewett: A bill for an act entitled: "An act to appropriate money for payment of the	

No.	Title of Bill	Page
	share of this state of the expenses of the national conference of commissioners on uniform state laws, and for travel expenses of the commissioners on uniform state laws, for the period beginning July 1, 1961, and ending June 30, 1963."	153, 355, 374, 406, 412, 418, 555, 579, SA-586, 608, 627.
372	Introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend section 75-3612, Revised Codes of Montana, 1947, relating to the foundation program for elementary and secondary schools; providing schedules for determining the foundation program amounts for all schools; defining terms; establishing conditions for application of schedules; and containing a repealing clause."	153.
373	Introduced by Reed, Kvaalen: A bill for an act entitled: "An act to appropriate money to provide additional funds for the operation of the public schools of the State of Montana for the period beginning July 1, 1961, and ending June 30, 1963; providing for the distribution of said funds for the credit of the various school districts of the state on the basis of average number belonging, and the manner of such distribution; providing that none of said funds shall be distributed in excess of the foundation program needs of any school district; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."	153, 249, 486, 518, S-551.
Sub. 373	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to provide additional funds for the operation of the public schools of the State of Montana for the period beginning July 1, 1961, and ending June 30, 1963; providing for the distribution of said funds for the credit of the various school districts and county high schools of the state on the basis of average number belonging, and the manner of such distribution; providing that none of said funds shall be distributed in excess of the foundation program needs of any school district or county high school; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."	551, 552, 563, 580, 589, 592, 596, 667.
374	Introduced by Reed, Kvaalen: A bill for an act entitled: "An act to appropriate money for the state public school equalization fund and providing for the manner of distribution thereof for the period beginning July 1, 1961, and ending June 30, 1963; and providing that the appropriations	

No.	Title of Bill	Page
	herein shall be valid notwithstanding the provisions of the budget act."	153, 249, 552, 563, 580, 589, 592, 596, 676, 679, 682, 683, 687, 689, 691, 692, 693, 694, 696, 697, 706.
375	Introduced by Kvaalen, Bardanouve: A bill for an act entitled: "An act providing that the per diem allowance and mileage of members of the Legislative Assembly, President of the Senate and Speaker of the House shall be considered as reimbursement for expenses incurred and shall not be taxable as salary or wages and shall not be subject to employee contributions; amending section 43-310, R.C.M. 1947, as amended by chapter 23, Laws of 1955, and section 43-311, R.C.M. 1947, as amended by chapter 23, Laws of 1955."	153, 365, 391, 411, 412, 421, 545.
376	Introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to amend sections 89-1803 and 89-1804 of the Revised Codes of Montana, 1947, relating to the rate of charge and apportionment of annual tax levy against lands in irrigation districts and providing for a minimum charge of five dollars (\$5.00) against any separately owned tract of land within an irrigation district regardless of the size of said tract."	153, 329, 353, 390, 396, 399, 490, 544, 575, 655.
377	Introduced by Stimatz: A bill for an act entitled: "An act authorizing the remission of penalties and interest upon the redemption of real property where all taxes, penalty and interest have been paid for ten (10) years immediately before the effective date of the passage and approval of this act, but upon which delinquent taxes prior to the year 1951 remain unpaid upon any real property. Redemption may be made by paying the original tax without the payment of penalty and interest on such delinquent taxes, if such redemption is made on or before May 31, 1962."	153, 253.
378	Introduced by Mernin, Harper, Stimatz, Shelden: A bill for an act entitled: "An act to amend 94-35-256 Revised Codes of Montana, 1947, prohibiting false representation to procure workmen; prohibiting the employment of professional strike-breakers in place of employees involved in a labor dispute by a person or agency not directly involved in the labor dispute, and prohibiting the employment of persons so recruited or furnished: prohibiting the recruitment of or advertising for employees to take the place of employees engaged in a labor dispute without stating that the employment offered is in place of employees involved in a labor dispute; repealing conflicting act; providing for an effective date."	153, 341.

No.	Title of Bill	Page
379	Introduced by Stimatz: A bill for, "An act to amend section 11-3830, Revised Codes of Montana, 1947, as amended, so as to require a public hearing before any revision is made in any master plan once adopted by a city-county planning board and board of county commissioners."	154, 367.
380	Introduced by Pierce (by request), Picard, Swanz, Wayrynen, Spilde: A bill for an act entitled: "An act to amend section 4-117 of the Revised Codes of Montana, 1947, by providing for a discount in the amount of five per cent (5%) to be allowed upon purchases made by retail liquor licensees from Montana state liquor stores, providing for an effective date of this act, and repealing all acts and parts of acts in conflict therewith."	154, 347.
381	Introduced by Sullivan (Silver Bow), Stimatz, Harper, Emmons: A bill for an act entitled: "An act to make it unlawful for any person, partnership or firm or corporation to add any fictitious or phantom charges to any of the natural resources or products of the State of Montana that is processed, refined or manufactured in the State of Montana and sold in Montana; to prescribe penalties for noncompliance to make noncompliance punishable by a fine of not less than \$1000.00 or one year imprisonment or both and on second offense shall be fined or jailed, or both and suspended from doing any further business of Montana."	154, 332, 353, 390, 391.
382	Introduced by Stimatz, Eskildsen: A bill for an act entitled: "An act to amend section 56-104, Revised Codes of Montana, 1947, relating to the duties of a notary public, by adding thereto the duty of keeping a record of instruments acknowledged or proved; prescribing a fee for certified copies of such records: containing a repealing clause."	154, 233.
383	Introduced by Stimatz: A bill for an act entitled: "An act to change the time for contesting a will after the probate thereof from one year to six months."	154, 233, 269, 286, 292, 518, 539, SA-559, 582, 583, 627.
384	Introduced by Stimatz, Lucas: A bill for an act entitled: "An act to amend section 25, chapter 246, laws of 1957, (11-3825 Revised Codes of Montana 1947) relating to tax levy on planning districts by including zoning districts created after public hearing."	154, 192, 322, 346, 373, 386, 389, 490.
385	Introduced by Stimatz, Lucas: A bill for an act entitled: "An act to amend section 11-3905, Revised Codes of Montana, 1947, enacted as section	

No.	Title of Bill	Page
	5, chapter 195, Laws of 1959, relating to exercise of powers by municipalities in urban renewal projects by deleting the requirement of taxpayer approval at an election before preliminary planning for a project may be undertaken.".....	154, 192, 286.
386	Introduced by Stimatz, Lucas: A bill for an act entitled: "An act to amend section 10, of chapter 246, Laws of 1957, (section 11-3810, Revised Codes of Montana, 1947), relating to terms of citizen members of city-county planning boards by changing the terms from four (4) years to two (2) years, and repealing section B of chapter 246, Laws of 1957, (section 11-3813, Revised Codes of Montana, 1947)."	154, 192, 322, 346, 373.
387	Introduced by Cerovski, Schwinden: A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries; when salary paid from several funds; repealing sections 25-501, 25-502, 25-503, and 25-505 of the Revised Codes of Montana, 1947; and containing a repealing clause."	155, 367.
388	Introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to revise the requirements, procedures and methods of filing and adopting rates, charges, fares, classifications, and rules of service for motor carriers; repealing section 8-104, Revised Codes of Montana, 1947, as amended by chapter 262, Laws of Montana, 1955; repealing section 8-106, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; providing for an effective date."	155, 301, 345, 353, 363, 583, 607, 608, 627.
389	Introduced by Kolar (by request): A bill for an act entitled: "The Montana Trading Stamp Control Act; placing the sale and distribution of trading stamps in Montana entirely under the control and regulation of the State of Montana."	155, 176.
390	Introduced by Hazelbaker, Nichols: A bill for an act entitled: "An act to amend section 78-102, 78-104 and 25-504, Revised Codes of Montana, 1947, to provide that the custodian of the State Capitol Building shall work under the direction of the State Controller; to provide that the custodian of the State Capitol Building shall recommend to the State Controller necessary replacements and repairs; to provide that requisitions for repairs and maintenance of the Capitol Building be issued by the State Controller; to provide	

No.	Title of Bill	Page
	that the salaries of janitors, watchmen, utility men, engineers and the carpenter at the State Capitol Building be fixed by the State Controller, repealing all acts and parts of acts in conflict herewith; and providing an effective date of this act." -----	155, 310.
391	Introduced by Anderson (Yellowstone), Nichols: A bill for an act entitled: "An act to provide that the term of office of the State Examiner, the State Controller, the chairman of the Industrial Accident Board, the Commissioner of State Lands and Investments, the State Forester, the Superintendent of the State Hospital, the Assistant Superintendent of the State Hospital, the President of the Montana State Tuberculosis Sanitarium, the custodian of the State Capitol Building, the Co-ordinator of Indian Affairs, the members of the Unemployment Compensation Commission, the State Board of Public Welfare, the State Board of Health, the Montana Liquor Control Board, the State Board of Pardons, the State Highway Commission, the Board of Administration of the Public Employees Retirement Act, the Montana Livestock Commission, the State Fish and Game Commission, the Oil and Gas Conservation Commission, the Montana Grass Conservation Commission, the State Board of Dental Examiners, the Montana State Examining Board of Beauty Culturists, the State Board of Veterinary Medical Examiners, the Montana State Board of Nursing, the State Board of Chiropractic Examiners, the State Board of Osteopathic Examiners, the State Board of Registration for Professional Engineers and Land Surveyors, the Board of Embalmers and Funeral Directors, the Abstractors Board of Examiners, the Board of Architectural Examiners, the Board of Barber Examiners, the Board of Medical Examiners, the Montana State Board of Examiners in Optometry, the Executive Board of the Montana State Industrial School, the Local Executive Board of Montana State University, the Local Executive Board of Montana State College, the Local Executive Board of the Montana School of Mines, the Local Executive Board of Western Montana College of Education, the Local Executive Board of Eastern Montana College of Education, the Local Executive Board of Northern Montana College, the Local Executive Board of the State Vocational School for Girls, the Local Executive Board of the Montana Children's Center, the Local Executive Board of the Montana State Training School, the Local Executive Board of the Montana School for the Deaf and Blind, the Veterans' Memorial Fund Commission, the Commission on Uniform State Laws, the State Athletic Commission, the State Board of Arbitration and Conciliation, the Milk Control Board, the State Aeronautics Commission, the State Board of Food Distributors, the Veterans'	

No.	Title of Bill	Page
	<p>Welfare Commission, the Personnel Commission of the State of Montana, and the members of the State Board of Hail Insurance, the Advisory Committee for the Wool Laboratory, the Montana Poultry Improvement Board, the State Water Conservation Board, the Montana State Board of Forestry, the State Soil Conservation Committee, the State Board of Plumbing Examiners, the State Board of Chiropody Medical Examiners, the Montana State Board of Pharmacy, the Hospital Advisory Council, the State Board of Education, the Soldiers' Home Board of Managers, the State Library Extension Commission, the Retirement Board of the Teachers Retirement System of the State of Montana, the State Water Pollution Council, the Montana Fine Arts' Commission, and the State Apprenticeship Council appointed by the Governor shall be at the pleasure of the Governor; providing that said officers and said members of said boards, commissions, councils and agencies may be removed from office by the Governor at any time with or without cause and without hearing; providing that the requirement of the consent of the Senate to appointments by the Governor shall not be eliminated or abolished; repealing so much of sections 82-1001, 82-106, 82-107, 92-104, 81-201, 81-1403, 38-104, 80-206, 78,105, 82-2702, 87-117, 71-202, 69-102, 4-104, 94-9822, 32-1601, 68-501, 46-101, 26-102, 60-125, 46-2303, 66-901, 66-804, 66-2201, 66-1225, 66-502, 66-1401, 66-2327, 66-2330, 82-701, 66-2102, 66-101, 66-406, 66-1001, 66-1303, 80-805.1, 75-304, 78-301, 12-401, 82-301, 41-901, 27-404, 1-201, 27-303, 77-1001, 59-1205, 82-1501, 75-717, 3-2201, 89-103, 28-101, 76-104, 66-2403, 66-603, 66-1503, 69-2910, 75-102, 80-304, 44-127, 75-2703, 69-1329, 19-120 and 41-1201, Revised Codes of Montana, 1947, as is in conflict with this act and repealing all other acts and parts of acts in conflict herewith, and providing an effective date for this act."</p>	155, S-392.
Sub. 391	<p>Introduced by the Committee on State Administration: A bill for an act entitled: "An act to provide that the term of office of the State Examiner, the State Controller, the Chairman of the Industrial Accident Board, the Commissioner of State Lands and Investments, the State Forester, the superintendent of the State Hospital, the assistant superintendent of the State Hospital, the president of the Montana State Tuberculosis Sanitarium, the custodian of the State Capitol Building, the co-ordinator of Indian Affairs, the members of the Unemployment Compensation Commission, the State Board of Public Welfare, the State Board of Health, the Montana Liquor Control Board, the State Board of Pardons, the State Highway Commission, the board of administration of the Public Employees Retirement Act, the Montana Livestock Commission, the State Fish and Game Commission, the Oil and Gas Conserva-</p>	

No.	Title of Bill	Page
	<p>tion Commission, the Montana Grass Conservation Commission, the executive board of the Montana State Industrial School, the local executive board of Montana State University, the local executive board of Montana State College, the local executive board of the Montana School of Mines, the local executive board of Western Montana College of Education, the local executive board of Eastern Montana College of Education, the local executive Board of Northern Montana College, the local executive board of the State Vocational School for Girls, the local executive board of the Montana Children's Center, the local executive board of the Montana State Training School, the local executive board of the Montana School for the Deaf and Blind, the Veterans' Memorial Fund Commission, the Commission on Uniform State Laws, the State Athletic Commission, the State Board of Arbitration and Conciliation, the Milk Control Board, the State Aeronautics Commission, the State Board of Food Distributors, the Veterans' Welfare Commission, the Personnel Commission of the State of Montana, and the members of the State Board of Hail Insurance, the advisory committee for the Wool Laboratory, the Montana Poultry Improvement Board, the State Water Conservation Board, the Montana State Board of Forestry, the State Soil Conservation Committee, the Hospital Advisory Council, the State Board of Education, the Soldiers' Home Board of Managers, the State Library Extension Commission, the retirement board of the Teachers Retirement System of the State of Montana, the State Water Pollution Council, the Montana Fine Arts' Commission, and the State Apprenticeship Council appointed by the governor shall be at the pleasure of the governor; providing that said officers and said members of said boards, commissions, councils and agencies may be removed from office by the governor at any time with or without cause and without hearing; providing that the requirement of the consent of the Senate to appointments by the governor shall not be eliminated or abolished; repealing so much of sections 82-1001, 82-106, 82-107, 92-104, 81-201, 81-1403, 38-104, 80-206, 78-105, 82-2702, 87-117, 71-202, 69-102, 4-104, 94-9822, 32-1601, 68-501, 46-101, 26-102, 60-125, 46-2303, 80-805.1, 75-304, 78-301, 12-401, 82-301, 41-901, 27-404, 1-201, 27-303, 77-1001, 59-1205, 82-1501, 75-717, 3-2201, 89-103, 28-101, 76-104, 69-2910, 75-102, 80-304, 44-127, 75-2703, 69-1329, 19-120 and 41-1201, Revised Codes of Montana, 1947, as is in conflict with this act and repealing all other acts or parts of acts in conflict herewith; and providing an effective date for this act."</p>	<p>392, 395, 405, 430, 434, 436, 552.</p>
392	Introduced by Hawks, Haines, Anderson (Yellowstone), Nichols: A bill for an act entitled: "An	

No.	Title of Bill	Page
	act to provide that executive state officers, boards, commissioners, bureaus, departments and agencies appointed by the Governor shall have the authority to discharge any assistant, deputy, agent, attorney, administrator, engineer, expert, clerk, accountant, stenographer, or executive attaché when in the discretion of such officers, boards, commissions, bureaus, departments and agencies the efficient and economic operations of such offices, boards, commissions and agencies so requires; providing that no hearing shall be required; exempting assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches whose term of office and compensation is fixed by law from the provisions of this act; providing that such state executive offices, boards, commissions, bureaus, departments and agencies shall furnish the Governor a list of such employees and their duties; repealing all acts and parts of acts in conflict herewith; and providing an effective date for this act."	156, 393.
393	Introduced by Hazelbaker, Asbjornson: A bill for an act entitled: "An act to amend section 25-102, R.C.M. 1947, relating to fees to be paid to the Secretary of State; to provide for an increase, in certain cases, of fees to be paid to the Secretary of State for issuing certificates, filing documents, recording documents, affixing certificates and seals and performing other services."	157, 309, 346, 365, 377, 384, 517, 528, 575, 655.
394	Introduced by Hazelbaker, Asbjornson: A bill for an act entitled: "An act to amend section 14-127, R.C.M. 1947, to increase the fees paid to the Secretary of State by credit unions from five dollars (\$5.00) to forty dollars (\$40.00); to amend section 14-201, R.C.M. 1947, to increase the fees paid to the Secretary of State for issuing a license to commissioners to open books for subscription of a cooperative association from five dollars (\$5.00) to twenty dollars (\$20.00); to amend section 14-204, R.C.M. 1947, to increase the fees paid to the Secretary of State for issuing a certificate of complete organization of a cooperative association from five dollars (\$5.00) to twenty dollars (\$20.00) and to increase the fees paid to the Secretary of State for filing an amendment and issuing a certificate of amendment to articles of incorporation of a cooperative association from five dollars (\$5.00) to ten (\$10.00); to amend section 14-422, R.C.M. 1947, to increase fees paid to the Secretary of State for filing articles of incorporation of a cooperative marketing association from five dollars (\$5.00) to forty dollars (\$40.00) and for filing an amendment to the articles from two and 50/100 dollars (\$2.50) to ten dollars (\$10.00); to amend section 14-527, R.C.M. 1947, to increase the fees paid to the Sec-	

No.	Title of Bill	Page
	<p>retary of State by rural electric and telephone cooperatives for filing articles of incorporation, from five dollars (\$5.00) to forty dollars (\$40.00) and for all other filings, from five dollars (\$5.00) to ten dollars (\$10.00); to amend section 15-1801, R.C.M. 1947, to increase the fees paid to the Secretary of State for filing certificates of consolidation or merger from five dollars (\$5.00) to fifteen dollars (\$15.00); to amend section 15-1901, R.C.M. 1947, to increase the fees paid to the Secretary of State for filing certificates of consolidation or merger from five dollars (\$5.00) to fifteen dollars (\$15.00); to amend section 16-1303, R.C.M. 1947, to provide that county farm bureaus organized as corporations shall pay corporate filing and recording fees to the Secretary of State; to amend section 25-110 R.C.M. 1947, to increase the fees paid to the Secretary of State by certain water users' associations from ten dollars (\$10.00) to forty dollars (\$40.00); to amend section 53-204, R.C.M. 1947, to increase the fees paid to the Secretary of State for service of summons or process from two dollars (\$2.00) to five dollars (\$5.00); to amend section 53-205, R.C.M. 1947, by increasing the fee to be taxed as costs from two dollars (\$2.00) to five dollars (\$5.00); to amend section 56-113, R.C.M. 1947, to increase the fees paid to the Secretary of State for certificates of official character of notaries public from one dollar (\$1.00) to two dollars (\$2.00); to amend section 65-213, R.C.M. 1947, to increase the fees paid to the Secretary of State for statements of trust receipt financing from one dollar (\$1.00) to three dollars (\$3.00); to amend section 72-306, R.C.M. 1947, to increase the fees paid to the Secretary of State for noting declarations relative to certain contracts in the margin of the record from one dollar (\$1.00) to two dollars (\$2.00); to amend section 84-1515, R.C.M. 1947, to establish a fee for filing applications for reviver and for issuing a certificate of reviver by the Secretary of State; to amend section 85-103 R.C.M. 1947, by providing that the fee for filing and recording a trade mark or name shall be as provided in section 25-102, R.C.M. 1947; to amend section 93-3009, R.C.M. 1947, to increase the fee paid to the Secretary of State for service of process; repealing all acts and parts of acts in conflict herewith."</p>	<p>157, 309, 346, 365, 377, 385, 517, 544, 545, 581, 656.</p>
395	<p>Introduced by Hazelbaker, Loman: A bill for an act entitled: "An act providing that property used or to be used in the generation, transmission or distribution of electrical power to the public shall not be transferred or transferable directly or indirectly to governmental or municipal or quasi-governmental or quasi-municipal corporations or associations organized under the laws of another</p>	

No.	Title of Bill	Page
	state or to any corporation not a public utility subject to the jurisdiction of this state; providing that such property transferred in violation of this act shall escheat to the state, authorizing the Attorney General to institute proceedings to escheat such property, directing that such property transferred in violation of this act, be sold and the proceeds credited to the public school equalization fund; providing that transfers of such property in violation of this act are void and that transfers of such property under certain circumstances raises a conclusive presumption that such transfers were made to evade or avoid this act; providing for a criminal penalty for violation of this act; and repealing all acts and parts of acts in conflict therewith."	157, 367, 396, 426, 441, 445, 447.
396	Introduced by McOmber (by request): A bill for an act entitled: "An act to provide for a landlords' lien on personal property left on leased premises by tenant; to provide for the enforcement of said landlord's lien and for the sale of said property, after notice, by public auction."	158, 203.
397	Introduced by Hazelbaker, Anderson (Yellowstone), Emmons, Stranahan: A bill for an act entitled: "An act to amend section 16-1031, Revised Codes of Montana, 1947, as last amended by Chapter 108, Laws of Montana, 1947, to authorize boards of county commissioners to establish monthly service charges for garbage and ash collection purposes in lieu of taxation of property within garbage districts; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	158, 367, 396, 426, 441, 445, 446, 518, 539, SA-559, 582, 583, 627.
398	Introduced by Schye, Swanz: A bill for an act entitled: "An act to amend section 32-2001 of the Revised Codes of Montana, 1947, by extending the policy of the state to include controlling of access to throughways and intersections with throughways; amending section 32-2002 of the Revised Codes of Montana by providing definitions for the terms 'arterial highway', 'throughway', and 'throughway intersection area' and by including in the term 'controlled access highway', 'portions of throughways and roads, streets and highways within a throughway intersection area', amending section 32-2003 of the Revised Codes of Montana, 1947 by providing for control of access to throughways or roads, streets or highways within a throughway intersection area and by providing that no portion of a throughway or road, street or highway within a throughway intersection area shall be designated as a controlled access highway except upon petition of the gov-	

No.	Title of Bill	Page
	erning body of cities, towns or counties and providing the petition to be irrevocable except upon concurrence of the State Highway Commission; amending section 32-2006 of the Revised Codes of Montana, 1947 by providing for the acquisition of property for controlled access highways or facilities; amending section 32-2007 of the Revised Codes of Montana, 1947, by providing for elimination of crossings with controlled access highways or facilities; amending section 32-2008 of the Revised Codes of Montana, 1947, relating to service roads by relating to controlled access highways as well as 'facilities'; amending section 32-2009 of the Revised Codes of Montana, 1947 relating to marking with signs by relating the same to controlled access highways as well as 'facilities'; amending section 32-2010 of the Revised Codes of Montana, 1947, relating to violations by prohibiting connections with a controlled access highway or facility except by permission of the State Highway Commission and the local governing body having jurisdiction over the highway or facility; repealing all acts or parts of acts in conflict herewith; providing that this act shall be in full force and effect from the date of its passage and approval."	158, 330, 374, 402, 405, 412, 421, 564.
399	Introduced by Cerovski (by request): A bill for an act entitled: "An act to amend section 4-329 of the Revised Codes of Montana of 1947, relating to the right of licensed retailers to sell or furnish beer to the public for consumption off the premises of such retailer, by removing the limitation on quantity of any such sale, and repealing all acts and parts of acts in conflict herewith."	158, 347, 374, 402, 404, 417, 530, 576, 627.
400	Introduced by Anderson (Yellowstone), Hawks, Leuthold: A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating a state building commission to approve the design and supervise the construction and major repair of all state buildings and to otherwise administer the state building program; providing that the commission shall submit a long range building plan to the Legislative Assembly; providing that the construction and major repair of state buildings shall be authorized by the Legislative Assembly; amending section 77-417 and 77-419, R.C.M. 1947, relating to the construction of National Guard armories; amending section 26-103, R.C.M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R.C.M. 1947, relating to the erection of buildings at the State Soldiers' Home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205, and 75-206, R.C.M. 1947, relating	

No.	Title of Bill	Page
	to the erection of facilities at units of the University of Montana."	159, S- 392.
Sub. 400	Introduced by the Committee on State Administration: A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating a state building commission to approve the design and to supervise the inspection of construction and major repair of all state buildings and to otherwise administer the state building program; providing that the commission shall submit a long range building plan to the Legislative Assembly; providing that the construction and major repair of state buildings shall be authorized by the Legislative Assembly; amending sections 77-417 and 77-419 R.C.M. 1947, relating to the construction of National Guard armories; amending section 26-103, R.C.M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R.C.M. 1947, relating to the erection of buildings at the state soldiers' home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205, and 75-206, R.C.M. 1947, relating to the erection of facilities at units of the University of Montana."	392, 394, 403, 430, 443, 448, 450, 564, 623, 633, 656, 657, 674.
401	Introduced by Broeder, Murray, Lundgren, Jensen (Lake), Loman: A bill for an act entitled: "An act to amend section 32-1123, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, as amended by section 1, chapter 250 of the Laws of 1955, as amended by section 1, chapter 221 of the Laws of 1959, relating to size and weight of motor vehicles operating over and upon the highways of the State of Montana, by providing that no single truck shall have an over-all length in excess of forty (40) feet; providing that no tractor, semitrailer, full trailer or combination of vehicles shall have an over-all length in excess of seventy (70) feet; amending section 32-1124, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, by adding the words and numbers section numbers 32-1122 and 32-1123; amending section 32-1125, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947; by changing the manner of penalizing violators of section 32-1123. and acts amendatory thereto; amending section 32-1126, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, by requiring employees of the State Highway Commission engaged in the enforcement of this act to wear identification badges; by giving the State Highway Commission discretion to authorize uniform dress for these employees; by requiring the unloading of vehicles	

No.	Title of Bill	Page
	and the care of unloaded material to be at the risk of the owner; amending section 32-1127, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, as amended by section 1, chapter 254, Laws of 1955, relating to the permits for excess size and weight of motor vehicles by authorizing the State Highway Commission the discretion to grant special permits for excess size and weight in the public interest, and containing a repealing clause."	159, S-310.
Sub. 401	Introduced by Committee on Highways: A bill for an act entitled: "An act to amend section 32-1123, Revised Codes of Montana, 1947, as amended by section 1, chapter 250 of the Laws of 1955, as amended by section 1, chapter 221 of the Laws of 1959, relating to size and weight of motor vehicles operating over and upon the highways of the State of Montana, providing that no single truck shall have an overall length in excess of forty (40) feet; providing that no tractor, semitrailer, full trailer or combination of vehicles shall have an over-all length in excess of sixty-five (65) feet; no vehicle shall tow any combination of vehicles in excess of sixty-five (65) feet; deleting from section 32-1123, Revised Codes of Montana, all of subsection (4) pertaining to speed; amending section 32-1124, Revised Codes of Montana, 1947, adding the words and numbers section number 32-1123; amending section 32-1125, Revised Codes of Montana, 1947; changing the manner of penalizing violators of section 32-1123, and setting forth schedule of graduated fines and providing for monthly remittances of said fines to the State Treasurer; amending section 32-1126, Revised Codes of Montana, 1947, requiring employees of the State Highway Commission engaged in the enforcement of this act to wear identification badges; giving the State Highway Commission discretion to authorize uniform dress for these employees; requiring the unloading of vehicles and the care of unloaded material to be at the risk of the owner; amending section 32-1127, Revised Codes of Montana, 1947, as amended by section 1, chapter 254, Laws of 1955, relating to the permits for excess size and weight of motor vehicles; authorizing the State Highway Commission to grant special permits for excess size and weight in the public interest, and containing a repealing clause."	310, 311, 345, 353, 362, 513, 521, 522, 578, 591, SA-599, 650, 651, 666.
402	Introducer by Kvaalen, Reed: A bill for an act entitled: "An act defining a degree granting institution and prohibiting the granting of degrees by such an institution until it offers proof of accreditation to the regents of the University of Montana or until the regents approve a written notice filed in lieu of such proof."	159, 323.

No.	Title of Bill	Page
403	Introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend section 75-1632, Revised Codes of Montana, 1947, as finally amended in chapter 228 of the Session Laws of 1955, of the State of Montana, sub-section 11 thereof, by deleting from said sub-section 11 the authority and duty of the trustees to provide clothing and medical aid for indigent children when it shall be made to appear that such aid is needed; repealing all acts and parts of acts in conflict herewith."	159, 288, 300, 321, 322, 340, 343, 481, 498, 529, Veto 566.
404	Introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend section 75-2906, revised Codes of Montana, 1947, relating to pauper children, by deleting therefrom the requirements that school trustees furnish clothing and medical aid to indigent children; repealing all acts and parts of acts in conflict herewith."	159, 288, 300, 322, 340, 342, 481, 498, 529, 577.
405	Introduced by Aasheim, Stranahan, McOmber: A bill for an act entitled: "An act setting the date of the pre-session legislative caucuses on the Saturday immediately preceding the first Monday of each odd numbered year and providing that the Secretary of State shall make the necessary arrangements and notify each legislator-elect and holdover senator; amending section 23-1808, R.C.M. 1947 to require clerks of boards of county commissioners to transmit lists of legislators-elect to the Secretary of State; and amending section 43-310, R.C.M. 1947, to provide for the payment of per diem to legislators attending the caucuses."	160.
406	Introduced by Schye, Kolar, Rosell: A bill for an act entitled: "An act to restrict and regulate the colonization of agricultural lands by persons having no individual or personal ownerships or rights of ownership in such lands, but constituting a society in which each member shares in the distribution of profits or benefits of the colony according to his needs, or in equal measure with his fellow members, or otherwise, in accordance with some concept of communal property; to provide for dividing the state into zones, classified as to suitability of soil, climate and natural resources, for agricultural uses; to limit the size within each zone of the agricultural areas which may be used for the creation or maintenance of communal colonies; to regulate the spacing of colonies in relation to each other and in relation to urban and industrial communities; to create an administrative authority to be known as the 'communal property control board' to administer this act; to	

No.	Title of Bill	Page
	prescribe procedures by which applications for leave to establish colonial societies may be made, and by which such applications may be heard and passed upon by the communal property control board; to provide for hearings to be had upon all such applications and for right of appeal from determinations of the board by persons aggrieved thereby; to authorize the board to compel attendance of witnesses at hearings, and production of books and papers; to provide for enforcement of this act by punishment of violation of the provisions thereof or disobedience to the lawful orders of the board; to provide for compensation to be paid to the members of the board and its employees, and for payment of expenses incurred by members of the board and its employees in the performance of their duties hereunder."	160, 377, 403, 430, 434, 438, 444, 545, 563, 564, 594.
407	Introduced by Lucas, Bush, Reed, Haines, Page: A bill for an act entitled: "An act to amend sections 43-103 and 43-104, R.C.M. 1947, to provide for the reapportionment of the House of Representatives in accordance with the 1960 Census and a new formula."	160, 196.
408	Introduced by Blewett, Lewis: A bill for an act entitled: "An act to amend section 32-1616 of the Revised Codes of Montana, 1947, by adding a provision granting authority to the State Highway Commission to lease or rent excess real or personal property and providing that the landowner from which such property was acquired shall have first right and option to rent or lease such property; repealing all acts or parts of acts in conflict herewith."	160, 371.
409	Introduced by Barnard, Bardanouve: A bill for an act entitled: "An act relating to relocation of facilities of utilities in connection with highway work; amending section 1, chapter 254, Laws of 1957, compiled as section 32-1625, R.C.M. 1947, to require a utility to own in fee the right of way or other property upon which its facilities are located before the state may pay for any costs of relocation of such facilities."	160, 331.
410	Introduced by Keller, Loman, Judge: A bill for an act entitled: "An act to amend section 10-507, R.C.M. 1947, relating to the amount of county's and parent's contribution for orphans in state orphans' home; to provide for an increase in the amounts to be paid by counties and parents for orphans in the state orphans' home from ten dollars (\$10.00) per month to twenty-five dollars (\$25.00) per month."	160, 259, 295, 317, 322, 325, 555, 580, SA-587, 608, 627, 674.

No.	Title of Bill	Page
411	Introduced by Sullivan (Deer Lodge), Cerovski, Emmons: A bill for an act entitled: "An act relating to income tax; permitting benefits received under the federal employees retirement act to be exempt from gross income for purposes of computing state income tax, by amending section 84-4905, R.C.M. 1947."	161, 242, 265, 293, 295, 298, 435.
412	Introduced by Pierce, Keller: A bill for an act entitled: "An act amending section 19-107, R.C.M. 1947, to eliminate Lincoln's Birthday, Washington's Birthday, Columbus' Day, Veterans' Day and the day on which a general election is held from the list of legal holidays in Montana."	161, 332, 354, 365, 385, 401.
413	Introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 11-616, R.C.M. 1947, relating to vacation of recorded plats to provide that any plat prepared and recorded as provided by section 11-2801, R.C.M. 1947, may be vacated, either in whole or in part, and upon such vacation the title to the streets and alleys of such vacated portions, to the center thereof, shall revert to the owners of the property adjacent to such vacated portions."	161, 234, 253, 269, 286, 292, 583, 608, 627.
414	Introduced by Loman, Cerovski, Reed, Rosell, Higham, Hawks, Hibbard: A bill for an act entitled: "An act to amend section 10-602, R.C.M. 1947, relating to the definition of the words "delinquent child"; to provide that district courts will have the discretion, after full investigation and hearing to retain jurisdiction over all felony cases involving children, sixteen (16) years of age, or older."	161, 278, 300, 339, 340, 351.
415	Introduced by Loman, Cerovski, Rosell, Reed, Higham, Hawks, Hibbard: A bill for an act entitled: "An act to repeal section 10-633, R.C.M. 1947, relating to forbidding publicity in juvenile court proceedings involving delinquent children; to provide that certain records shall be withheld from the public inspection but open to inspection by the parties and their attorneys and certain child custody institutions or agencies; to provide that persons having a legitimate interest, can with court consent inspect certain records; to provide for inspection of records by governmental and private agencies and institutions conducting pertinent research studies; to provide that names and pictures of children shall not be made public by any medium of public information, except as authorized by court order."	161, 264.
416	Introduced by Loman, Cerovski, Reed, Rosell, Hig-	

No.	Title of Bill	Page
	ham, Hawks, Hibbard: A bill for an act entitled: "An act to amend section 10-611, R.C.M. 1947, relating to conduct of hearings of juvenile cases to provide that the general public shall be excluded from the hearings; to provide for appointment of counsel for children and parents or guardians of children, in certain cases; and to allow courts to establish appropriate procedures for hearings in cases of violation of traffic laws or ordinances."	161, 264.
417	Introduced by Schwinden: A bill for an act entitled: "An act to amend section 84-406, Revised Codes of Montana, 1947, relating to assessment and the time of assessment of property and motor vehicles by the assessor, except property assessed by the State Board of Equalization; providing that motor vehicles for sale by dealers shall be assessed as merchandise, and requiring dealers to file a description of each motor vehicle with the assessor; exempting motor vehicles from tax where there is conclusive evidence that the motor vehicle tax had been paid in another state of the United States by the owner or owners of the motor vehicle for the current year; providing that the provisions of this act shall not relieve an applicant for registration or re-registration from payment of the tax on a motor vehicle where the same has not been paid by a prior applicant or owner; providing for an effective date of this act; and containing a repealing clause."	161, 332.
418	Introduced by Stearns, Higham (by request): A bill for an act entitled: "An act to amend section 75-2501, Revised Codes of Montana, 1947, relating to health certificates for teachers in the public schools of Montana and providing for such certificates to be furnished annually, or at any other time upon request from a superintendent of schools, county superintendent of schools, or the State Superintendent of Public Instruction, or the State Board of Education."	162, 387.
419	Introduced by Stearns, Higham (by request): A bill for an act entitled: "An act amending section 75-2401, Revised Codes of Montana, 1947, as amended to change the date for automatic reelection of teachers, to change the number of years after which re-election is deemed automatic, to remove tenure for principals, to change time allowances for certain acts, and providing an effective date for the act."	162, 387.
420	Introduced by Loman (by request), Schwinden (by request): A bill for an act entitled: "An act to amend section 53-122, Revised Codes of Montana, 1947, as amended by chapter 221, Laws of 1951, chapter 215, Laws of 1953 and chapter 41, Laws of 1955 by providing a registration or license fee of ten dollars (\$10.00) for motor vehicles; pro-	

No.	Title of Bill	Page
	viding that \$1.25 of the fee be paid into the motor vehicle recording fund to pay the cost of making and delivering license plates and identification tags; containing a repealing clause."	162, 366.
421	Introduced by Loman (by request), Schwinden (by request): A bill for an act entitled: "An act to amend section 94-35-152.13, as enacted by chapter 162, Laws of 1953, by authorizing the Board of State Prison Commissioners to determine the use of funds in the industrial revolving fund for the construction, erection, equipping, enlarging or improving penal or reformatory buildings; amending section 94-35-152.15, as enacted by chapter 162, Laws of 1953, by requiring the Registrar of Motor Vehicles to pay \$1.00 for license plates and identification tags; providing for the depositing of fees in the industrial revolving fund; containing a repealing clause."	162, 366.
422	Introduced by Loman (by request), Schwinden (by request): A bill for an act entitled: "An act authorizing the Board of State Prison Commissioners to acquire, erect, equip, enlarge and improve buildings, industrial equipment and other facilities at the state prison and reformatory; providing for the use of funds from the prison industrial revolving fund to finance said buildings, industrial equipment and other facilities; providing methods of financing, containing a repealing clause."	162, 367.
423	Introduced by Blewett: A bill for an act entitled: "An act to amend section 92-834, R.C.M. 1947, relating to workmen's compensation cases with reference to appeals, notice, records and trials to provide that application to be made to the court to present additional evidence must be made before the date set for hearing; and to require that it be shown to the satisfaction of the district court that additional evidence is material and that there were good reasons for failing to present it in the proceeding before the board."	162, 301.
424	Introduced by Bashor: A bill for an act entitled: "An act to amend section 75-2901 of the Revised Codes of Montana, of 1947, as amended by section 1 of chapter 39, Session Laws of Montana, of 1959, relating to compulsory school attendance; requiring parents, guardians or other person having charge of a child seven (7) years of age prior to fall school term and not over eighteen (18) years of age to attend school, either public, private or parochial, accredited by the State Board of Education of the State of Montana; excepting children over eighteen (18) years of age completing the twelfth grade where his wages are necessary for the support of the family; excusing children from school attendance under certain conditions; providing for procedure on	

No.	Title of Bill	Page
	appeal where county or city officials refuse to excuse a child from school attendance; and making it a misdemeanor for failure to comply with the provisions of this act; and to amend section 75-2902 of the Revised Codes of Montana, of 1947, prohibiting the employment of children under eighteen (18) years of age, or a child not completing the twelfth grade, during the school term; permitting children over eighteen (18) years of age to be employed when necessary for the support of his family or their family; requiring age and schooling certificate of children over eighteen (18) years of age not completing twelfth grade before employment; providing penalties for violation of this act; and containing a repealing clause."	162, 387.
425	Introduced by Emmons: A bill for an act entitled: "An act to amend section 40-3918, Revised Codes of Montana, 1947, as enacted by section 345, chapter 286, Laws of Montana of 1959, relating to the conversion on termination of eligibility of group life insurance policies by providing that an employee's insurance shall not cease nor shall premiums be increased because of his retirement; repealing all acts and parts of acts in conflict herewith, and providing an effective date."	163, 331.
426	Introduced by Bardanouve, Schwinden: A bill for an act entitled: "An act amending section 92-1105, R.C.M. 1947, relating to the industrial insurance fund to provide that if in any year the premiums in any class exceed disbursements, the industrial accident board shall reduce employers' premiums proportionately."	163, 361.
427	Introduced by Bardanouve, Schwinden: A bill for an act entitled: "An act to except unemployment compensation contributions by employers from the wages of minors, in their employ, by amending section 87-109, R.C.M. 1947, as amended by section 3, chapter 171, Session Laws of 1957."	163, 361.
428	Introduced by Bashor: A bill for an act entitled: "An act to require all persons, firms and corporations drilling water wells to properly plug and abandon such wells when use thereof has ceased; declaring violation to be a public nuisance; and authorizing the county attorney to investigate and abate."	163, 271.
429	Introduced by Abel, Eskildsen: A bill for an act entitled: "An act relating to fishing and hunting licenses; creating a section to be known as section 26-202.2, R.C.M. 1947, to permit patients of Fort Sheridan Veterans Administration Hospital in Wyoming to fish and hunt game birds without a class A or B or B-1 license."	163, S-328.

No.	Title of Bill	Page
Sub. 429	Introduced by the Committee on Fish and Game: A bill for an act entitled: "An act relating to fishing licenses; creating a section to be known as section 26-202.2, R.C.M. 1947, to permit patients of Fort Sheridan veterans administration hospital in Wyoming to fish without a class A or B license; providing for distribution and recovery of special licenses issued for this purpose; containing an effective date."	328, 339, 354, 364, 365, 373, 388, S-397.
Sub. 429	Introduced by the Committee on Fish and Game: A bill for an act entitled: "An act relating to fishing licenses; creating a section to be known as section 26-202.5, R.C.M., 1947, to permit patients of Fort Sheridan veterans administration hospital in Wyoming to fish without a Class A or B license; providing for distribution and recovery of special licenses issued for this purpose."	397, 398, 412, 443, 445, 448, 482.
430	Introduced by Bentz, Johnson, Schye, Stearns, Spilde: A bill for an act entitled: "An act to amend sections 41-901, 41-903, 41-904, R.C.M. 1947, relating to the State Board of Arbitration and Conciliation, to provide for a change in name and term of office of such board, to increase the compensation and provide qualifications and additional duties for the clerk of said board, to provide additional authority and duties and responsibilities for mediation of labor disputes, to establish procedures and facilities for elections by secret ballot, providing for certification and decertification of bargaining units, providing penalties for violations, authorizing injunctive relief, repealing conflicts, and providing effective date for the act."	163, 278, 377.
431	Introduced by Twedt (by request): A bill for an act entitled: "An act prohibiting firemen and policemen, other than voluntary firemen and policemen, from engaging in professions or occupations, for hire outside of the scope of their employment as firemen and policemen, and providing a penalty therefore, and repealing all acts and parts of acts in conflict herewith."	164, 195.
432	Introduced by Murray: A bill for an act entitled: "An act to amend section 53-122 Revised Codes of Montana, 1947, as last amended by chapter 41, Laws of 1955, relating to minimum fee for vehicle licenses to be paid by dealers."	164, 172.
433	Introduced by Barnard: A bill for an act entitled: "An act to amend section 53-617 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 103, Session Laws of Montana, 1959, relating to sales tax on new motor vehicles; providing that the State Highway Commission may	

No.	Title of Bill	Page
	use any available price list if the manufacturer or importer fails to furnish a price list; providing that the proceeds from the tax should be remitted to the State Treasurer every thirty (30) days for credit in the state highway fund; providing for an effective date of this act; and repealing all acts and parts of acts in conflict herewith."	164, 330.
434	Introduced by Mernin: A bill for an act entitled: "An act to amend section 94-35-125, Revised Codes of Montana, 1947, as amended; providing that open-pit mines, shafts, drifts or cuts of a depth greater than ten (10) feet must be fenced; providing penalties for failure to fence; providing treble damages to adjoining property owners for damages caused to their property by such open-pit mines, shafts, drifts or cuts."	164, 348.
435	Introduced by Reed (by request): A bill for an act entitled: "An act to amend section 66-803, Revised Codes of Montana, 1947, pertaining to licensing qualifications in cosmetology by requiring applicants to have a high school education and a diploma from a registered beauty school; providing that vocational trainees have eighteen months to complete the beauty course; eliminating apprentice licenses; requiring a bond of school operators; forbidding shops and schools to be operated together; and changing the sub-paragraph numbering."	164, S-370.
Sub. 435	Introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend sections 66-801, 66-802, 66-803, 66-804 and 66-806, Revised Codes of Montana, 1947, as amended, all relating to regulation of cosmetology; requiring one (1) year of practice or teaching before obtaining a manager-operator license; exempting from the definition of cosmetology, artists who demonstrate for the benefit and instruction of cosmeticians; requiring a high school diploma or equivalent before obtaining an operator's license; providing that the applicants shall have studied at registered beauty schools, instead of accredited schools; providing that Northern Montana College graduates in cosmetology are qualified to take the licensing examination; deleting provision for apprenticeship licenses; requiring a bond from school operators; forbidding shops and schools to be operated together; providing for a change in the name of the state board; providing additional requirements relative to the establishment of minimum prices; forbidding the advertisement or sale of a service below the minimum price."	370, 371, 391, 401, 405, 406, 430, 434, 436, 578, 591, SA- 602, 650, 651, 666.
436	Introduced by Barnard: A bill for an act entitled: "An act to protect the public from drowning in	

No.	Title of Bill	Page
	open sewage lagoons and open cesspools, by requiring the owner or owners of said sewage lagoons or cesspools, servicing the disposal of sewage of five (5) or more families, in inhabited areas, to take the necessary precautionary measures to be prescribed by the boards of county commissioners in the various counties for adequate fencing or enclosing of said lagoons and cesspools; to provide for a penalty for non-compliance with this act; and to prescribe the duties of the boards of county commissioners, clerk and recorders, sheriffs and county attorneys in the various counties."	164, 346, 371, 402, 429, 434, 437, 583, 607, 608, 627.
437	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the state public school equalization fund and providing for the manner of distribution thereof for the period beginning July 1, 1961, and ending June 30, 1963; providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."	172, 229, 249, 606.
438	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of cumulative pocket supplements of 1961, for the Revised Codes of Montana, 1947."	184, 229, 247, 263, 268, 281, 413, 451, 452, 461, 504.
439	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume four of the Revised Codes of Montana of 1947; and providing an effective date."	184, 229, 253, 269, 283, 413, 451, 452, 461, 504.
440	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain expenses for Northern Montana College and to transfer monies from one account to another within the present appropriations of Montana State College, the Agricultural Experiment Station and substations, the Agricultural Extension Service, Eastern Montana College of Education, Northern Montana College and Montana State University for the current biennium ending June 30, 1961."	188, 229, 259, 269, 278, 284, 489, 521, SA-538, 576, 627.
441	Introduced by Johnson, Nichols, Reed, Rosell, Bardanoue, McOmber, Leuthold, Conklin, Lundgren, Stearns, Bentz: A bill for an act entitled: "An act relating to the regulation, licensing, and bonding of trading stamp companies regulating the issuance and discontinuance of issuance of trading	

No.	Title of Bill	Page
	stamps, providing a penalty for the violation thereof, providing an effective date; and providing for cases of unconstitutionality."	188.
442	Introduced by Conklin, Coulter, Leuthold, Schye, Lord, Lundgren, Falkenstern, Twedt, Hall, Bentz: A bill for an act entitled: "An act to regulate the giving or furnishing of trading stamps or other similar devices, requiring a state license for engaging in such business; providing certain exemptions; providing a penalty for the violation thereof, and providing an effective date."	199, 270, 295, 317, 322, 327, 578, SA-603, 622, 623, 627.
443	Introduced by Aasheim: A bill for an act entitled: "The county, city and town trading stamp act; permitting each county, city and town in Montana to license trading stamp companies on a local option basis; setting the annual license fee at a sum to be determined by the population of each county, city or town; providing a penalty and enforcement."	201.
444	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to transfer moneys from one account to another within the present appropriations of the Board of Railroad Commissioners, the Department of Agriculture, State Tuberculosis Sanatorium, State Treasurer, State Hospital, Attorney General, Supreme Court, Department of State Lands and Investments and the Secretary of State and to appropriate money from the general fund for the purpose of paying certain expenses for the Secretary of State, the state PBX division, district judges, county attorneys, the State Board of Examiners and the State Forester for the current biennium ending June 30, 1961; and providing an effective date."	230, 248, 278, 299, 303, 482, 496, SA-502, 553, 554, 581.
445	Introduced by Pierce, Leuthold, Kolar, Goan, Hawks, Higham, Schwinden, Bardanouve: A bill for an act entitled: "An act to appropriate money for the purpose of acquiring, operating and maintaining a nutritional beef cattle research program as a replacement program for the dairy research program discontinued by the Agricultural Research Service of the United States Department of Agriculture to be located at the Huntley Branch Experiment Station of the Montana Agricultural Experiment Station of the Montana State College of the University of Montana for the period beginning July 1, 1961 and ending June 30, 1963; repealing all acts and parts of acts in conflict herewith, and providing an effective date."	342, 428, 661.
446	Introduced by Nichols: A bill for an act entitled:	

No.	Title of Bill	Page
	<p>"An act to transfer monies from one account to another within the present appropriations of the State Industrial School, the Montana Children's Center and the Vocational School for Girls; to transfer monies from the present appropriation of the State Industrial School to the Montana Children's Center; and to appropriate money for the purpose of paying certain expenses of the Montana Children's Center for the current biennium ending June 30, 1961; and providing an effective date."</p>	<p>350, 387, 404, 432, 441, 445, 517, 528, 575, 655.</p>
447	<p>Introduced by Schye, Laas, Healy, Asbjornson, Moudree: A bill for an act entitled: "An act to repeal section 16-1621, Revised Codes of Montana, 1947, relating to the payment of contracts for the construction and maintenance of improvement in rural improvement districts; to amend section 16-1620, Revised Codes of Montana, 1947, as amended by section 1, chapter 3, Laws of 1955, and section 7, chapter 260, Laws of 1959, relating to the form and terms and use of bonds and warrants of rural improvement districts; providing that the bonds and warrants of rural improvement districts shall be sold by the board of county commissioners to the highest and best bidder and payment of contracts of rural improvement districts made from the proceeds of such sale of bonds and warrants; prescribing the procedure to be followed in connection with the sale of such bonds and warrants; repealing all acts and parts of acts in conflict herewith."</p>	<p>356, 377, 402, 406, 412, 419, 505, 527, 528, 575, 654.</p>
448	<p>Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purpose of paying additional incidental expenses of the Thirty-seventh Legislative Assembly; providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act and providing an effective date."</p>	<p>359, 387, 396, 426, 441, 445, 446, 517, 528, 575, 655.</p>
449	<p>Introduced by the Judiciary Committee: A bill for an act entitled: "An act to provide that an insurer of vehicles in the State of Montana shall provide insurance coverage to the insured motor vehicle owner involved in an accident with the owner of an uninsured motor vehicle for bodily injury and death; providing exceptions thereto and containing definitions; repealing all acts and parts of acts in conflict herewith."</p>	<p>397, 412, 432, 434, 436, 441, 442, 545.</p>
450	<p>Introduced by Adams, Nichols: An act to appropriate money for the State Department of Pub-</p>	

No.	Title of Bill	Page
	lic Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the State Department of Public Welfare which they may lawfully incur, for the period beginning with July 1, 1961, and terminating with June 30, 1963.	470, 497, 515, 526, 540, 551, 657, SA-658, 669.
451	Introduced by Daniels, Cerovski: A bill for an act entitled: "An act to appropriate moneys to the department of public welfare for the purpose of establishing and administering a state matching program of medical assistance for the aged; providing authority to the state department of public welfare to promulgate and establish a plan for medical assistance for the aged and establishing standards for such plan; providing authority to the department of public welfare to receive federal funds for such plan; empowering the state board of health to establish and enforce standards of care and environment in public or private institutions participating herein; repealing conflicting acts; providing an effective date."	491, 615.
452	Introduced by Daniels: A bill for an act entitled: "An act to appropriate money to the director of the historical society of Montana for the period beginning July 1, 1961 and ending June 30, 1963 for the purpose of advertising and promoting the sale of the Charles M. Russell painting entitled 'Lewis and Clark Meeting the Flatheads at Ross-Hole' for a minimum of one million, five hundred thousand dollars (\$1,500,000.00) to the best interests of the State of Montana; providing for execution of a bill of sale and the proceeds to be placed in the general fund of the State of Montana."	506.
453	Introduced by Hazelbaker, Anderson (Yellowstone), Hawks: A bill for an act entitled: "An act to appropriate funds from the state law library fund to reimburse Edna J. Hinman for fees deposited into the state treasury, which fees rightfully belong to her personally, in accordance with the Supreme Court decision in the case of Forrest H. Anderson, as Attorney General of the State of Montana, Respondent, vs. Edna J. Hinman, as Clerk of the Supreme Court of the State of Montana, Appellant, and Frank Murray and J. Ward Crosby, as living predecessors to the office of the Clerk of the Supreme Court of the State of Montana, Respondents."	525, 544, 563, 580, 581, 588, 657, 661, 662, 679.
454	Introduced by Adams: A bill for an act entitled: "An act to appropriate money for the operation	

No.	Title of Bill	Page
	and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."	546, 584, 605, 611, 621, 626, 662, 664, 665, 667, 670, 671, 679, 680, 681, 682, 688, 689, 690.
455	Introduced by Abel, Emmons, Keller: A bill for an act entitled: "An act to appropriate funds from the state law library fund to reimburse Thomas J. Kearney for fees deposited into the state treasury, which fees rightfully belong to him personally, in accordance with supreme court decision in the case of Forrest H. Anderson, as attorney general of the State of Montana, respondent, vs. Edna J. Hinman, as clerk of the supreme court of the State of Montana, appellant, and Frank Murray and J. Ward Crosby, as the living predecessors to the office of the clerk of the supreme court of the State of Montana, respondents."	555, 589, 605, 611, 614, 616, 657, 661, 662, 679.
456	Introduced by Goan, Sullivan (Silver Bow), Thompson: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state institutions for the period beginning July 1, 1961 and ending June 30, 1963."	579, 593, 605, 611, 614, 616, 667, 668, 679, 682.
457	Introduced by Mathers, Nichols: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."	579, S-612.
Sub. 457	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."	612, 613, 621, 625, 630, 632, 673, 674, 675, 677, 682, 691, 693.
458	Introduced by Rygg, Hibbard, Regan: A bill for an act entitled: "An act to appropriate money for the operation of the University of Montana."	579, 607, 611, 614, 616, 660, 662, 663, 666, 667, 668, 669, 672, 673, 674, 675, 676, 683, 691, 694, 696, 698, 704, 705, 706.
459	Introduced by Mathers, Adams: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of the state water	

No.	Title of Bill	Page
	conservation board, the state planning board and the fish and game commission for the period beginning July 1, 1961 and ending June 30, 1963.".....	584, 593, 613, 617, 624, 626, 660, 662, SA-666, 672, 674.
460	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the payment of insurance premiums for insurance on state property out of certain funds designated herein for the period beginning July 1, 1961 and ending June 30, 1963."	589, 593, 613, 617, 624, 626, 663, 672, 674.
461	Introduced by Hazelbaker, Barnard, Asbjornson: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."	592, 593, 613, 617, 625, 627, 673, 674, 675, 678, 688, 689, 690.
462	Introduced by Dykstra, Anderson (Yellowstone), Nichols: A bill for an act entitled: "An act to provide for the transfer of interest earned on monies deposited in the war veterans compensation bond retirement fund, the war veterans compensation bond retirement fund No. 2 and the veterans honorarium interest and sinking fund to the general fund of the State of Montana; and providing an effective date."	592, 593, 594.
463	Introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain regulatory boards and commissions for the period beginning July 1, 1961 and ending June 30, 1963."	592, 607, 613, 618, 630, 633, 645, 651, 652, 663, 672, 674.
464	Introduced by Bardanouve: A bill for an act entitled: "An act to appropriate money to the state prison for the completion of Roethe Hall and erection of a security fence."	605, 616, 625, 630, 632, 657, 661, 662, 679.
465	Introduced by Haines, Bardanouve, McOmber: An act to appropriate by means of the issuance and sale by the state board of examiners of bonds in addition to bonds already authorized to be issued and sold for the purposes of repairing of furniture in the house and senate chambers, and lobbies and halls adjacent thereto; repairing and remodeling of six (6) committee rooms of the house of representatives of the state of Montana; and repairing and painting of the offices of the Montana railroad and public service commission in	

No.	Title of Bill	Page
	the state capitol building; designating the monies from which said bonds should be paid; enumerating the powers and duties of the state board of examiners in carrying out the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date.	605, 615, 625, 630, 631, 667, 668, SA-669, 672, 674.
466	Introduced by Rygg, Broeder: A bill for an act entitled: "An act to appropriate money for participation by the university of Montana in the national defense student loan program."	613, 615, 625, 630, 631, 657, 661, 662, 679.
467	Introduced by Page, Nelstead, Hilling, Crum, Loman, Stranahan, Johnson, Schye, Stearns, Broeder, Gustafson: A bill for an act entitled: "An act to appropriate money to the director of the budget to finance a study of expenditures of state agencies."	650, 664.
468	Introduced by Mathers: A bill for an act entitled: "An act to appropriate money to the State Board of Equalization from the gasoline drawback fund and the income tax withholding fund."	689, 690, 691, 693, 702.
469	Introduced by Lundgren, Mathers, Bush: A bill for an act entitled: "An act to provide for a fund for the support of the school districts and county high schools of the state, to be designated the Public School Classroom Unit Assistance Fund; providing for the distribution of moneys appropriated to said fund on the basis of classroom units, and defining the same; providing the manner of distribution and the use of such funds; and providing that the act shall be in force and effect during the period from July 1, 1961 to June 30, 1963, inclusive."	693, 694, 695, 697, 701, 702, 704, 705, 706.
470	Introduced by Mathers, Lundgren, Bush: A bill for an act entitled: "An act to appropriate money for the Public School Classroom Unit Assistance Fund for distribution as provided by law during the the period beginning July 1, 1961 and ending June 30, 1963; and providing that the appropriations herein shall be valid, notwithstanding the provisions of the budget act."	693, 694, 695, 697, 701, 702, 704, 705, 706.

No.	Title of Bill	Page
HOUSE JOINT MEMORIALS		
1	Introduced by Bradford, Bardanouve, Sheldon, Aasheim, Conklin, Spahr: A Joint Memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the Governor of the State of Montana and to the heads of all departments of the state government of the State of Montana relating to a good business climate in the State of Montana.	21, 60.
2	Introduced by Goan, Wayrynen, Bentz, Abel: A Joint Memorial of the Senate and House of Representatives of Montana to the Congress of the United States, requesting a proposed amendment to the United States Constitution to eliminate the electoral college for election of the President and Vice-President.	38, 134, 173, 191, 200, 208, 218.
3	Introduced by Loman, Haines, Mathers, Dykstra, Etchart, Beam, Lundgren: A joint memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the governor of the State of Montana and to the heads of all departments of the state government of the State of Montana relating to a good business climate in the State of Montana.	43, 61, 76, 84, 89, 166, 193, 200, SA-207, 219, 221, 231, 336.
4	Introduced by Melcher, Harper: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Senator Mike Mansfield of Montana; Senator Lee Metcalf of Montana; Congressman Arnold Olsen of Montana; Congressman James Battin of Montana; the committee on interstate and foreign commerce of the United States Senate; the committee on interstate and foreign commerce of the United States House of Representatives; the interstate commerce commission; opposing the merger of the Northern Pacific, the Great Northern, the Burlington and the Spokane, Portland and Seattle railroads; and opposing the abandonment of passenger service on the Milwaukee railroad and on the Great Falls-Butte line of the Great Northern railroad.	46, 125.
5	Introduced by Murray, Lundgren, Rygg, Jensen (Lake), Lord, Broeder, Seymour, Reed: A Joint Memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the President of the United States; to the congress of the United States; to Senators Mike Mansfield and Lee Metcalf and to Congressmen James F. Battin and	

No.	Title of Bill	Page
	Arnold Olsen; requesting the president, congress of the United States and the Montana congressional delegation to enact and approve enabling legislation which will authorize and direct the district director of internal revenue in each state to retain ten (10%) per cent of the federal taxes collected in the respective states to be delivered to collecting departments of each state, and used for education.	46, 111, 119, 173, 180, 214.
6	Introduced by Nichols, Hawks, Loman, Jensen (Lake), Kvaalen, Bardanouve, Anderson (Yellowstone), Beam: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Congress of the United States to the Honorable Mike J. Mansfield and Lee Metcalf, United States Senators of Montana, and to the Honorable James F. Battin and Arnold H. Olsen, Representatives in Congress from Montana, and to the Secretary of Agriculture of the United States, requesting extension of the Sugar Act of 1948, as amended.	53, 82, 95, 99, 105, 196, 231, 336.
7	Introduced by Murray, Rygg, Lundgren, Broeder, Sheldon: A Joint Memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the President of the United States; to the Congress of the United States; to Senators Mike Mansfield and Lee Metcalf and to Congressmen James F. Battin and Arnold Olson; requesting the President, Congress of the United States and the Montana Congressional Delegation to make available funds for the construction of Libby dam and furthermore to reserve the power therefrom for Montana so that Montana may share in the power with the downstream states to assure Montana a plentiful supply of power for new and growing industries located in Montana.	63, 100, 119, 173, 180.
8	Introduced by Beam: A Joint Memorial of the Senate and House to the Honorable Mike Mansfield and Honorable Lee Metcalf, senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, congressmen from the State of Montana; to the U. S. senate and house of representatives committees on education, and to the secretary of health, education and welfare, urging and requesting opposition to any further extension of federal aid to education.	77, 220, 242, 257, 270, 275, 564.
9	Introduced by Crum, Hilling, Johnson, Beam, Goan, Regan, Rosell, Bashor, Gustafson: A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the President	

No.	Title of Bill	Page
	of the United States and the Congress of the United States and to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold H. Olsen and the Honorable James Battin, Congressmen from the State of Montana, relating to the retention of the Connally reservation and that no law shall be passed that will affect the right of self-determination by the United States.	91, 124, 126, S-245.
Sub. 9	A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the President of the United States and to the Congress of the United States and to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold H. Olsen and the Honorable James Battin, Congressmen from the State of Montana, relating to the retention of the Connally Reservation and that no law shall be passed that will affect the right of self-determination by the United States.....	245, 250, 265, 292, 299, 303, 309, 313, 451, 452, 461, 504.
10	Introduced by Hawks, Anderson (Yellowstone), Haines, Bush, Hibbard, Stranahan, Beam: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana; to the Honorable James Battin and the Honorable Arnold Olsen, Representatives from the State of Montana; to the Secretary of the Interior; to the chairmen of the appropriations committees of the United States Senate and House of Representatives; and to the Senate and House of Representatives of the United States in Congress assembled, urging that taxpaying enterprise be permitted to participate in the development of the power features of Yellowtail dam project.	91, 100, 119, 173, 180.
11	Introduced by Goan: A Joint Memorial of the House of Representatives and Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the Congress of the United States and to the Department of the Interior, urging the Department of the Interior to reconsider its action in closing the southern portion of Yellowstone lake, all of Shoshone lake and Moose river in Yellowstone national park to power boating.	135, 318, 328, 357, 368, 372, 482.
12	Introduced by Loman, Stearns, Jensen (Lake), Lucas, Broeder, Murray: A Joint Memorial of the Senate and House of Representatives of the State	

No.	Title of Bill	Page
	of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; to the Secretary of the Interior; to the chairmen of the Appropriations Committees of the United States Senate and House of Representatives; to the Senate and House of Representatives of the United States in Congress assembled, to the United States army corps of engineers and to the federal power commission, urging that the federal power commission grant the application of a taxpaying enterprise to construct, own and operate the dams and hydroelectric facilities at Buffalo Rapids Sites Nos. 2 and 4 in Lake county and Sanders county, Montana.	135, 195, 242, 263, 269, 283, 564, 580, 605, 611, SA-633, 669, 674.
13	Introduced by Bardanouve, Cerovski: A Joint Memorial to the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold Olsen and James Battin, representatives from the State of Montana, the interior committees of the United States House and Senate and the secretary of the interior, requesting that the national park service be directed to survey that part of the Missouri river lying between Virgelle and Fort Peck dam for the purpose of establishing a national park in this area.....	144, 202, 238, 252, 258, 261, 552.
14	Introduced by Barnard, Bardanouve: A Joint Memorial of the House of Representatives and Senate of the State of Montana to the Congress of the United States; the Honorable Mike Mansfield and Honorable Lee Metcalf, senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, representatives from the state of Montana; and the committee on interior affairs and the judiciary committee of the United States Senate and House of Representatives urging the adoption of legislation vesting in the local United States district court jurisdiction to review final administrative action relating to determinations respecting grazing privileges, permits or licenses on any part of the public domain of the United States.	145, 219, 277, 286, 291, 555, 580, 589, SA-596, 650, 651, 666.
15	Introduced by Bardanouve, Eskildsen: A Joint Memorial to United States Secretary of Agriculture, the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Hon-	

No.	Title of Bill	Page
	orable Arnold Olsen and James Battin, Congressmen from the State of Montana, requesting Congress to amend the necessary federal statutes to provide that state correctional institutions for adults are eligible to receive federal donations of non-luxury type surplus foods.	184, 366, 391, 406, 412, 418, 530, 576, 627.
16	Introduced by Swanz, Melcher, Schye, Weeks: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Senator Mike Mansfield of Montana; Senator Lee Metcalf of Montana; Congressman Arnold Olsen of Montana; Congressman James Battin of Montana; the Committee on Interstate and Foreign Commerce of the United States Senate; the Committee on Interstate and Foreign Commerce of the United States House of Representatives; the Interstate Commerce Commission; opposing the abandonment of passenger service on the Milwaukee Railroad.	188, 197, 318, 319, 405, 412, 443.
17	Introduced by Melcher, Harper, Moudree, Reinecke, Swanz, Weeks, Lucas: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Senator Mike Mansfield of Montana; Senator Lee Metcalf of Montana; Congressman Arnold Olsen of Montana; Congressman James Battin of Montana; the Committee on Interstate and Foreign Commerce of the United States Senate; the Committee on Interstate and Foreign Commerce of the United States House of Representatives; the Interstate Commerce Commission; opposing the merger of the Northern Pacific, the Great Northern, the Burlington and the Spokane, Portland and Seattle railroads.	235, 318, 319, 404.
18	Introduced by Nelstead, Burrell, Wayrynen, Bentz, Stranahan, Abel: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Congress of the United States, to the Honorable Mike Mansfield, and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Arnold Olsen and the Honorable James F. Battin, Representatives in Congress from the State of Montana, and to the Committee on Military Affairs, Washington, D. C., urging that the Congress of the United States enact legislation granting pensions to World War I veterans as heretofore done for the Spanish-American veterans and veterans of other prior wars of the United States.	250, 318, 319, 394, 405, 432, 434, 438, 505, 526, SA-538, 589, 590, 627.

No.	Title of Bill	Page
HOUSE JOINT RESOLUTIONS		
1	Introduced by Schwinden, Bardanouve: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study the earmarking of revenue, the fund structure and the system of accounts of the State of Montana and to report its recommendations to the Thirty-eighth Legislative Assembly.	54, 374, 396, 411, 412, 422, 490, 504, 513, 575, 609.
2	Introduced by Bardanouve, Eskildsen: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study the laws relating to the conservation and development of the natural resources of the State of Montana and to recommend a plan under which an integrated state policy for the development and conservation of natural resources may be realized.	56, 375, 396, 411.
3	Introduced by Haines: A Joint Resolution of the Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the creating of representation in the electoral college to the District of Columbia.	56, 100.
4	Introduced by Haughey, Schwinden: A joint resolution of the Senate and House of Representatives of the State of Montana requesting the legislative council to develop a general plan for the reorganization of state government for future guidance, to make specific recommendations for the consolidation and elimination of state agencies and to report its findings to the Thirty-eighth Legislative Assembly.	77, 375.
5	Introduced by McOmber, Spahr, Blewett, Broeder: A Joint Resolution of the Senate and House of Representatives directing the Montana highway department to mark approaches to older, narrow bridges with larger, more conspicuous signs and to replace old bridges with wider, safer bridges when reasonably possible.	83, 213, 242, 263, 270, 272, 490, 513, 575.
6	Introduced by Anderson (Yellowstone), Haines, Regan, Hawks, Bashor: A Joint Resolution of the Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the creating of representation in the electoral college to the District of Columbia.	83, 100, 119, 173, 175, 181, 280, 299, SA-306, 324, 325, 396, 435.
7	Introduced by Jensen (Lake), Loman, Rygg, Lund-	

No.	Title of Bill	Page
	gren, Spahr: A Joint Resolution of the Senate and House of Representatives directing the Montana highway commission to adopt the policy of establishing and maintaining roadside parks at convenient locations along present highways and along highways to be constructed in the future.	102, 279.
8	Introduced by Haughey, Pierce, Hilling, Goan, Crum, Schwinden, Anderson (Yellowstone), Beam, Rosell: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the legislative council to develop a general plan for the reorganization of state government for future guidance including necessary amendments to the Constitution, to make specific recommendations for the consolidation and elimination of state agencies, to appoint a bipartisan task force to assist in the study and to report its findings to the Thirty-eighth Legislative Assembly.	114, 375, 396, 411, 412, 422, 490, 504, 513, 575, 609.
9	Introduced by Bardanoue, Melcher: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the state highway commission and the state board of prison commissioners to work out a program for the manufacture of highway marking signs and signposts at the state prison.	114, 366.
10	Introduced by Crum, Beam, Cerovski, Anderson (Yellowstone), Rosell, Goan, Schye, Lucas, Haines, Johnson, Mathers, Regan, Hilling, Tim J. Sullivan, Stranahan, Stearns: A Joint Resolution of the House of Representatives and Senate of the State of Montana, requesting the Congress of the United States to propose an amendment to the Constitution of the United States or to call a convention for such purpose.	135, 202, 242, 263, 270, 272, 564.
11	Introduced by Loman, Hibbard, Reed, Rosell, Higham, Hawks: A Joint Resolution of the House of Representatives and the Senate of the State of Montana, directing the Legislative Council to evaluate the adequacy of Montana's juvenile court law in light of the 1959 Standard Juvenile Act published by the National Council of Juvenile Court Judges, United States Children's Bureau and the National Council on Crime.	164, 375, 394.
12	Introduced by Cerovski, Conklin, Regan: A Joint Resolution of the House of Representatives of the State of Montana, the Senate concurring, declaring it to be against the public policy of the State of Montana, and an unfair employment practice, to arbitrarily discriminate against well qualified and otherwise desirable individuals between the ages of forty (40) and sixty-five (65) years,	

No.	Title of Bill	Page
	solely because of their age, and when not precluded by variance of insurance coverages, the retirement system of the employer, or other reason not a subterfuge to evade the purposes hereof.	268, 377, 396, 411, 412, 423, 554, 582, 583, 627.
13	Introduced by Cerovski: A Joint Resolution of the House of Representatives and Senate of the State of Montana authorizing and directing the State Land Board to sell parts of the State Prison Farm.	342, 393.
HOUSE RESOLUTIONS		
1	Introduced by Haines, McOmber: A Resolution of the House of Representatives requesting the board of state prison commissioners to transport to the state prison and cause to be repaired during the 1961-1962 interim the furniture used by the House of Representatives.	464.
2	Introduced by Johnson, Rosell: A Resolution of the House of Representatives of the State of Montana requesting the governor to appoint a committee to study the problems of teenage marriages and to develop ways and means whereby a model family code can be drafted.	518.
3	Introduced by Bardanouve: A Resolution of the House of Representatives of the State of Montana, requesting the state board of education, ex officio board of regents, to refuse to officially recognize any student social fraternity or sorority at any unit of the University of Montana that is governed by a charter that denies membership because of a person's race, color or creed.	609, 623.
4	Introduced by Committee on Appropriations: A Resolution of the House of Representatives of the State of Montana to the Montana liquor control board and the state liquor administrator requesting disciplinary action be taken in regard to state liquor store personnel, for selling liquor to any person not legally possessing a current valid individual liquor permit issued by said board pursuant to the Montana liquor control act.	610.
5	Introduced by Kvaalen, Leuthold, Reed, Seymour, Regan, Gustafson, Lundgren, Higham, Wright, Rosell, Kolar, Anderson (Yellowstone), Hawks, Cerovski, Spahr, Haughey: A Resolution of the House of Representatives of the State of Montana requesting the governor to appoint a committee to recommend improvements in the school foundation program to the 38th Legislative Assembly.	613, 624.
6	Introduced by Committee on Ways and Means: A Resolution of the House of Representatives of the State of Montana to the Appropriations Commit-	

No.	Title of Bill	Page
	tee of the House of Representatives of the 37th Legislative Assembly for an investigation and report by the budget director of the State of Montana on legislative control of expenditures of state funds by state boards and departments.	624.
7	Introduced by Page, Nelstead, Hilling, Crum, Dykstra, Johnson, Schye, Stearns, Broeder, Loman, Gustafson, Stranahan: A resolution of the House of Representatives of the State of Montana to the State Board of Examiners for the transfer to the general fund of monies in the veterans' compensation fund which will escheat to the state upon the expiration of the time for filing claims under the provisions of initiative measure No. 54, as amended.	647, 692.
8	Introduced by Dykstra, Page, Haines: A Resolution of the House of Representatives of the State of Montana to the treasurer of the State of Montana for the transfer of interest earned on monies deposited in the war veterans compensation bond retirement fund, the war veterans compensation bond retirement fund No. 2 and the veterans honorarium interest and sinking fund to the general fund of the State of Montana.	648.
9	Introduced by Anderson (Yellowstone), Daniels: A Resolution of the House of Representatives of the State of Montana requesting the governor of Montana to appoint a "Montana Territorial Centennial Commission."	648.
10	Introduced by Picard: A Resolution of the House of Representatives of the State of Montana to the governor of the State of Montana, the lieutenant governor of the State of Montana, the attorney general of the State of Montana, the secretary of state of the State of Montana, the Montana liquor control board and the administrator of the Montana liquor control board, requesting certain policies, practices and regulations of the liquor control board and its administrator be made in conformance with the Montana liquor control act and the best interests of the taxpayers of the State of Montana, and requesting action be taken to correct (1) the excessive expenditures being made by the liquor control board for new facilities and lavish state liquor stores when changes in location are made; (2) the expense of retaining a public relations firm or agency to promote the purposes and proceedings of the Montana liquor control board; (3) the use of liquor revenue for the purpose of promoting legislation pertaining to the powers and conduct of the Montana liquor control board and the state liquor administrator; (4) the assumption of powers and duties by the Montana liquor control board not specifically conferred upon it by the Legislative Assembly of the State of Montana; (5) the stocking, handling and	

No.	Title of Bill	Page
	selling of certain wines in state liquor stores not having the official seal as prescribed by law; (6) the lack of enforcement of the provisions of title 4 Revised Codes of Montana, 1947, relating to private, social and fraternal organizations having a Montana liquor control board license, by requiring that use of the premises be confined to members and guests only; (7) the policy of the Montana liquor control board regarding issuances of licenses in areas where there is a sudden influx of population due to temporary conditions.	649, S-660.
Sub.	Introduced by Committee on Judiciary.	
10	(No title)	660, 661.
11	Introduced by Healy, Cerovski: A House Resolution of esteem for former Senator James E. Murray, praying a speedy recovery from his serious illness.	696.
12	Introduced by Goan: A Resolution of the House of Representatives requesting the state board of examiners to place the House furniture in a particular position after its return from the state prison subsequent to repair under the provisions of House Bill No. 465.	705.

INDEX TO SENATE BILLS

Bold face figures refer to roll call on third reading. Thus: 300.

No.	Title of Bill	Page
2	<p>Introduced by Mackay, Groff, Cole: A bill for an act entitled: "An act to relieve the state board of examiners of certain powers and duties relating to the supervision and control of state expenditures by amending sections 82-1902, 82-1903, 82-1904, 82-1905, 82-1906, 82-1909, 82-1916, and 82-1919, R. C. M. 1947, relating to the duties of the state purchasing agent, section 79-602, R. C. M. 1947, relating to the revolving funds at state institutions, section 82-1125, relating to the board of examiners' duties as ex officio state furnishing board, section 25-508, R. C. M. 1947, relating to travel of public employees, section 41-1608, R. C. M. 1947, relating to the annual reports of the commissioner of labor and industry, and section 3-107, R. C. M. 1947, relating to the contracting power of the commissioner of agriculture; and by repealing sections 82-1122, 82-1123 and 82-1124, R. C. M. 1947, relating to the examination of the books of the state auditor and state treasurer, sections 82-1126, 82-1127, 82-1128, 82-1129, 82-1130, 82-1140, 82-1141, 82-1142 and 82-1143, R. C. M. 1947, relating to the board of examiners' duties as ex officio board of supplies and furnishing board and the letting of contracts for supplies, section 82-1145, R.C.M. 1947, relating to the employment of clerical help by state boards and offices, section 82-1146, R.C.M. 1947, relating to the power of the board of examiners to authorize state boards and offices to contract liability or indebtedness in excess of appropriations, section 82-1148, R. C. M. 1947, relating to the compensation of assistants in executive state offices, sections 59-702, 59-703, and 59-704, R. C. M. 1947, relating to the printing of departmental reports, section 77-1003, R. C. M. 1947, relating to the auditing of the veterans welfare commission and section 82-2205, R. C. M. 1947, relating to the duty of the secretary of state to keep a book of supplies; and containing a repealing clause."</p>	<p>358, 359, 478, 487, 493, 541.</p>
3	<p>Introduced by Mackay, Groff, Cole: A bill for an act entitled: "An act to relieve the state board of examiners of the duty to approve liquidated claims and to provide for the pre-audit of such claims by the state controller after authorization of the expenditure by the officer or governing board of the department concerned; to amend the following sections to delete the requirement that the board of examiners process claims for expenditures: Section 79-104, R. C. M. 1947, relating to the state auditor, section 79-202, R. C. M. 1947, relating to the state treasurer, sections 82-1101, 82-1105,</p>	

No.	Title of Bill	Page
	and 82-1152, R. C. M. 1947, relating to the state board of examiners, sections 93-306 and 93-314, R. C. M. 1947, relating to district judges, sections 94-9825 and 94-9826, R. C. M. 1947, relating to the board of pardons, section 44-410, R. C. M. 1947, relating to the state law library, sections 44-514 and 44-515, R. C. M. 1947, relating to the historical society library, section 19-121, R. C. M. 1947, relating to the Montana fine arts commission, section 23-1815, R. C. M. 1947, relating to the state board of canvassers, section 26-123, R. C. M. 1947, relating to the fish and game commission, section 32-1620, R. C. M. 1947, relating to the state highway commission, sections 46-202, 46-224, 46-228, R. C. M. 1947, relating to the livestock sanitary board, sections 46-1909 and 46-1914, R. C. M. 1947, relating to the livestock commission, section 46-2306, R. C. M. 1947, relating to the grass conservation commission, section 59-540, R. C. M. 1947, relating to the board of examiners, section 77-151, R. C. M. 1947, relating to the national guard, section 80-747, R. C. M. 1947, relating to the state prison, section 80-748, R. C. M. 1947, relating to county sheriffs and section 82-2212, R. C. M. 1947, relating to the secretary of state; and to repeal sections 59-541, 82-1109, 82-1110, 82-1111, 82-1112, 82-1120, 46-1910 and 46-1911, R. C. M. 1947; and containing a repealing clause." ..	358, 360, 479, 487, 493, 541.
4	Introduced by Mackay, Groff, Cole: A bill for an act entitled: "An act directing the state examiner to conduct an annual audit of the office of state controller and all state institutions including the University of Montana and relieving the state controller of the duty to conduct quarterly examinations of the University of Montana by amending sections 82-1014 and 82-1016, R. C. M. 1947 and by repealing section 82-102, R. C. M. 1947." ..	358, 359, 479, 487, 493, 541.
5	Introduced by Mackay, Groff and Cole: A bill for an act entitled: "An act to provide that the controller shall be appointed by the governor, be responsible to the governor and serve at the governor's pleasure and to delete reference to the salary of the state controller by amending sections 82-106 and 82-107, R. C. M., 1947." ..	337, 338, 479, 487, 491, 494, 541.
6	Introduced by Mackay, Groff and Cole: A bill for an act entitled: "An act to provide that the governor may authorize an expenditure during the first fiscal year of the biennium from the appropriation for the second fiscal year of the biennium if he finds that the amount actually appropriated for the first fiscal year of the biennium is insufficient due to an unforeseen and unanticipated emergency; to amend section 79-901, R. C. M.	

No.	Title of Bill	Page
	1947 by deleting reference to the board of examiners' power to decrease appropriations; to amend section 79-904 by deleting reference to section 79-902; and to repeal sections 79-902 and 79-903, R. C. M. 1947."	337, 338, 479, 487, 494, 541.
7	Introduced by Durkee, Groff, Mackay, Cumming, James: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to section 11, article XI of the Constitution of Montana vesting supervision and control of the University of Montana in a separate state board of regents."	408, 409, 468, 503, 526, 539, 558, 579, 595.
8	Introduced by Cumming, James, Beley, Durkee: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana by adding a new section to provide for the continuity of state and local governments in a period of emergency caused by enemy attack or other calamity, notwithstanding other constitutional provisions."	348, 349, 454, 470, 477, 486.
Sub. 12	Introduced by Oil and Gas Committee: A bill for an act entitled: "An act to delete obsolete references in the Revised Codes of Montana, 1947, relating to state mortgage lands and farm mortgage loans by amending sections 81-902, 81-909, 81-910, 81-912, 81-1701 and 81-102, Revised Codes of Montana, 1947, and section 81-908, Revised Codes of Montana, 1947, as amended by section 1, chapter 95, Session Laws of Montana, 1949, and as amended by section 1, chapter 10, Session Laws of Montana, 1959, and by repealing sections 81-911, 81-914, 81-1901, 81-1902, 75-3730, 75-3731, 75-3732, 75-3733, Revised Codes of Montana, 1947."	S-289, 542, 565, 573, 619.
13	Introduced by Rieder and Durkee: A bill for an act entitled: "An act making certain changes in the general administration of state lands and investments by amending sections 81-103, 81-201, 81-203 and 81-207, Revised Codes of Montana, 1947, relating to the rule making power of the state board of land commissioners, appointment of the commissioner of state lands and investments, appointment of department employees and qualifications of the chief field agent; by adding a new provision relating to removal of the chief field agent; and by repealing sections 81-209, 81-423 and 81-913, Revised Codes of Montana, 1947, relating to the commissioners' salary and the rule making power of the board."	266, 267.
14	Introduced by Beley, Goodwin, Rostad, Balgord, O'Neill, Dussault, Harken, Newman, Cashmore: A	

No.	Title of Bill	Page
	bill for an act entitled: "An act establishing the Lewis and Clark highway from the junction of highway 93 at Lolo, Montana, to the Idaho-Montana state line; repealing all acts and parts of acts in conflict herewith."	126, 553, 565, 573, 619.
15	Introduced by Groff, Cotton, Brenner: A bill for an act entitled: "An act to amend section 16-1015 of the Revised Codes of Montana, 1947, replacement volume two (2) as amended by chapter forty-eight (48), Session Laws of Montana, 1957, and chapter two hundred and twelve (212) Session Laws of Montana, 1959, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; providing for an additional levy of four (4) mills for a prescribed period; and providing for a repealing clause."	101, 489, 521, 534, 619.
16	Introduced by Rieder, Sagunsky: A bill for an act entitled: "An act to amend section 26-302 of the Revised Codes of Montana, 1947, relating to requirement that big game hunters must wear colored clothing, to provide that big game hunters may wear red or orange or a combination or red, orange or yellow colors on clothing."	101, 144, 193, 200, 205.
17	Introduced by Thiessen, Carney, Thomas, Balgord: A bill for an act entitled: "An act relating to use of telephones, to provide a penalty for failure to relinquish a party line or public pay telephone in an emergency; and to provide a penalty for false representation of an emergency in order to use a party line or public pay telephone."	93, 489, 521, 533, 619.
18	Introduced by Sagunsky, Cashmore, Cumming, Rear-don, McKenna (Fergus), Rieder, Harken: A bill for an act entitled: "An act to amend section 69-2701 of the Revised Codes of Montana, 1947, as amended by chapter one hundred thirty-six of the Laws of 1957, and as amended by chapter two hundred seventy-three of the Laws of 1959, relating to the definition of fireworks, and restrictions thereon; exempting certain toy guns, paper caps, signals for railroads or other public or private transportation operations, exempting defense forces of the United States and of the State of Montana and peace officers; exempting blank cartridges for ceremonial, theatrical and athletic events, and supervised public display of fireworks as provided for in section 69-2702 of the Revised Codes of Montana, 1947, as amended; pro-	

No.	Title of Bill	Page
	viding for an effective date of this act; and containing a repealing clause."	101, 174, 193.
20	Introduced by McKeon, McKenna (Fergus), Stein, Carney: A bill for an act entitled: "An act relating to securities and creating the office of investment commissioner; providing for the administration of the act and prescribing certain powers and duties in connection therewith; providing for the registration of securities; providing for the registration of broker-dealers, salesmen, and investment advisers; exempting certain securities and security transactions from the provisions of the act; providing for consent to service of process; providing for registration fees under the act; providing for investigations; providing for judicial review of orders; defining terms; providing penalties; providing effective date of act; repealing section 66-2001; section 66-2002; as amended by section 1, chapter 178, Laws of Montana, 1957; section 66-2003, as amended by section 2, chapter 178, Laws of Montana, 1957; sections 66-2004 through 66-2006; sections 66-2007, as amended by section 3, chapter 178, Laws of Montana, 1957; sections 66-2008 through 66-2017; section 66-2018, as amended by section 4, chapter 178, Laws of Montana, 1957; sections 66-2019 through 66-2022; section 66-2023, as amended by section 5, chapter 178, Laws of Montana, 1957; section 66-2024, as amended by section 6, chapter 178, Laws of Montana, 1957; sections 66-2025 and 66-2026, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	358, 360, 523, 546, 547, 557, 619.
22	Introduced by Cashmore, Rieder, Durkee and Schoonover: A bill for an act entitled: "An act consenting to the acquisition by the United States of land, water, or land and water, within the State of Montana for migratory bird reservations authorized by the act of Congress of February 18, 1929, (as amended), and containing a repealing clause."	234, 236, 454, 467, 476, 515.
23	Introduced by Schoonover, Thiessen, Brenner: A bill for an act entitled: "An act to amend section 75-2501, Revised Codes of Montana, 1947, relating to examinations and certificates; and containing a repealing clause."	204, 205, 479, 487, 495, 541.
Sub. 25	Introduced by Committee on Commerce and Labor: A bill for an act entitled: "An act to provide that workmen's compensation benefits shall not be terminated without approval of industrial accident board until employee resumes employment or doctor designated by board files written report that he is no longer disabled, or until the dispute with respect to disability between him and the em-	

No.	Title of Bill	Page
	ployer, insurer or industrial accident fund, as the case may be, has been resolved, and providing an effective date."	S-204, 523.
Sub. 26	Introduced by Committee on Constitution, Elections and Federal Relations: A bill for an act entitled: "An act relating to the qualifications of election judges and election clerks prohibiting a candidate, the spouse of a candidate or one related within the second degree of consanguinity to a candidate from serving as an election judge or election clerk; excepting school elections and candidates for precinct committeeman and committee woman; and containing a repealing clause."	S-166, 167, 463, 477, 486, 491, 541.
28	Introduced by Dussault, Harken, Lehrkind: A bill for an act entitled: "An act amending chapter 19 of title 93, Revised Codes of Montana, 1947, and sections therein contained, being 93-1901, 93-1902, 93-1903, 93-1904, 93-1905, 93-1906, 93-1907 and 93-1908, relating to court stenographers; deleting therefrom reference to the term 'court stenographer' and substituting therefor the term 'court reporter'; amending section 93-1906, Revised Codes of Montana, 1947, as amended by chapter 19, Session Laws of 1955, further by providing for salary increase to the sum of six thousand six hundred dollars (\$6,600.00) per year; repealing all acts and parts of acts in conflict herewith."	183, 184, 243, 277, 286, 295.
30	Introduced by Sagunsky: A bill for an act entitled: "An act authorizing and empowering the state board of land commissioners of the State of Montana to sell and convey a tract of land in the north west quarter of the south west quarter and south west quarter of the north west quarter, (NW¼ SW¼ and SW¼ NW¼), Section Twenty-two (22), Township Three (3) South, Range Six (6) West, Montana Principal Meridian, comprising twelve and seventy-seven hundredths (12.77) acres, Madison county, to the best interests of the State of Montana; providing for metes and bounds descriptions of said land; providing for platting the acreage into lots and blocks if deemed necessary to the best interests of the state; providing for appraisal of said land; providing for notice of sale pursuant to section 81-909 of the Revised Codes of Montana, 1947; providing costs of sale and all expense incidental thereto shall be paid only out of the proceeds of the sale; and providing the net proceeds of the sale shall go to the state general fund; providing for the effective date of act and repealing all acts and parts of acts in conflict herewith."	175, 176, 478, 487, 492, 541.
32	Introduced by Committee on Banking and Insurance: A bill for an act entitled: "An act to amend sec-	

No.	Title of Bill	Page
	tion 16-2618 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 50 of the Laws of Montana of 1957, relating to deposit of public funds by county, city and town treasurers, and providing for the substitution of securities pledged for the security of such deposits."	126, 127, 454, 470, 474, 515.
33	Introduced by Committee on Banking and Insurance: A bill for an act entitled: "An act to amend section 55-1004, of the Revised Codes of Montana, 1947, relating to inland and foreign bills of exchange."	126, 127, 454, 470, 495, 584.
Sub. 34	Introduced by Judiciary Committee: A bill for an act entitled: "An act to amend section 52-305 and section 52-306 of the Revised Codes of Montana, 1947, relating to duration of liens of chattel mortgages, providing for extending the time of the duration of the liens of chattel mortgages, and relating to the renewal of chattel mortgages by affidavit; providing that existing chattel mortgages of record shall not be affected by this act; and containing a repealing clause."	S-280, 281, 462, 477, 483, 515.
36	Introduced by Newman: A bill for an act entitled: "An act relating to leasing of state lands; providing that the state board of land commissioners may issue permits or leases for the removal of phosphate deposits, by amending section 81-701, R. C. M. 1947."	134, 167, 543, 561, 571, 619.
Sub. 37	Introduced by Committee on Education: A bill for an act entitled: "An act relating to school safety patrols, their authorization, organization and supervision, in public and private schools and other educational institutions to encourage pupils to cross public highways at regular crossings; providing for appointment of children over ten years of age as members of said patrol unless written objection thereto is given by parents or guardians to school authorities; providing that liability shall not attach to school authorities, schools or institutions, child, parent or guardian because of injuries to any pupil by operation of said safety patrols; providing for the uniformity of identification, operation and signals to be used by school safety patrols throughout the State of Montana by the Montana highway patrol board; providing for an effective date; and containing a repealing clause."	S-214, 215, 479, 514, 521, 539.
39	Introduced by Beley, Cumming: A bill for an act entitled: "An act to amend section 80-702, Replacement Volume 5, Revised Codes of Montana, 1947, relating to the powers of the board of state	

No.	Title of Bill	Page
	prison commissioners, to provide that the board has power to utilize all the non-cultivated lands of the state prison farm for a field training site of the national guard; to provide for repair of any damage caused by the field training activities; and containing a repealing clause."	222, 223.
Sub. 41	Introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act providing for the protection of the public health by requiring the approval of the state board of health of plans for water facilities and sewage disposal facilities in subdivisions and proposed subdivisions, providing a definition for a subdivision for sanitary purposes, providing for the filing of subdivision maps or plats subject to sanitary restrictions, prohibiting the erection of buildings and shelters, the use of which by persons necessitates supplying water, sewage or waste disposal until restrictions have been removed by the state board of health, providing for removal of sanitary restrictions, providing for rules and regulations pursuant to the administration of this act including sanitary standards, repealing all acts or parts of acts in conflict with this act and providing an effective date."	S-397, 398, 454, 470, 474, 515.
42	Introduced by Cotton, Thiessen, Nees, Edwards: A bill for an act entitled: "An act to amend section 16-1904 of the Revised Codes of Montana, 1947, relating to hearings on county budgets, adoption thereof, and fixing tax levies, providing for items authorized and appropriated for, in such budgets shall not exceed ten percentum (10%) of the amount appropriated and authorized for such items for the fiscal year immediately preceding; providing for the filing of copies of the final budget and tax levies therefor with the state examiner by a specified time, and providing for a penalty in case of failure to file; and containing a repealing clause."	126, 167, 455.
43	Introduced by Newman, Cumming: A bill for an act entitled: "An act to amend section 50-704, of the Revised Codes of Montana of 1947, relating to the contents of affidavit of performance of annual work on lode or placer claims by the owner, and recording thereof, within twenty days after the annual work; defining annual assessment work; and containing a repealing clause."	197, 198, 471, 488.
47	Introduced by Bovey: A bill for an act entitled: "An act to amend section 32-2148, R.C.M. 1947, as enacted by section 45, chapter 263, Laws of 1955, as amended by section 1, chapter 241, Laws of 1957, relating to special speed limitation on trucks, truck-tractors, motor-driven cycles and vehicles towing house trailers; increasing gross vehicle weight of trucks and truck-tractors which	

No.	Title of Bill	Page
	are restricted to speed limit of fifty (50) miles per hour; repealing all acts or parts of acts in conflict herewith."	126, 167, 487, 502, 508, 584.
48	Introduced by Bovey: A bill for an act entitled: "An act to amend section 31-126, R.C.M. 1947, as amended by section 1, chapter 95, Laws of 1955, relating to persons exempt from licensing; exempting all drivers of government owned or leased vehicles; providing that all acts or parts of acts in conflict herewith are hereby repealed."	126, 168, 487, 502, 514, 520, 594.
49	Introduced by the Committee on Education: A bill for an act entitled: "An act to repeal section 75-3721, Revised Codes of Montana, 1947, relating to statement of teaching positions made by the county Superintendent of Schools to the State Treasurer."	166, 168, 462, 470, 475, 515.
50	Introduced by the Committee on Education: A bill for an act entitled: "An act to repeal section 75-3502, Revised Codes of Montana, 1947, relating to tax levy textbooks."	166, 168, 462, 470, 474, 515.
51	Introduced by the Committee on Education. A bill for an act entitled: "An act to amend section 75-3308, Revised Codes of Montana, 1947, relating to standards and regulations for school busses and school bus drivers; containing a repealing clause and fixing an effective date."	134, 168, 462, 470, 475, 515.
52	Introduced by Sagunsky, Harken, McDonnell, Grieve, Dussault, Cole and Keller: A bill for an act entitled: "An act to amend section 10. (a) of chapter two hundred eighty-three of the Session Laws of Montana, 1959, designated as section 47-210, Volume 3, 1959, cumulative pocket supplement of the Revised Codes of Montana, 1947, fixing the rates of charges on loans of money for one year in designated amounts under the Montana Consumer Loan Act; providing for charges not in excess of eighteen dollars (\$18) per year per one hundred dollars (\$100) on loans not exceeding three hundred dollars (\$300); fourteen dollars (\$14) per year per one hundred dollars (\$100) on that part of loans exceeding three hundred dollars (\$300) but not exceeding five hundred dollars (\$500); and ten dollars (\$10) per year per one hundred dollars (\$100) on that part of loans in excess of five hundred dollars (\$500) but not exceeding one thousand dollars (\$1,000); providing for refund of charges where the loan is paid prior to maturity; providing for charges of five per cent (5%) on past due amounts; and containing a repealing clause."	238, 239, 461.

No.	Title of Bill	Page
54	Introduced by Harken, Sagunsky: A bill for an act entitled: "An act to amend section 32-2197, R.C.M. 1947, as enacted by section 94, chapter 263, Laws of 1955, relating to requirement of drivers to stop for school busses receiving or discharging school children outside of business or residence districts; requiring drivers to stop for school busses receiving or discharging school children outside the limits of a corporate city or town; repealing all acts or parts of acts in conflict herewith."	166, 168, 472, 486, 492, 541.
55	Introduced by Cole: A bill for an act entitled: "An act to amend section 31-129, R.C.M. 1947, relating to the issuance of instruction permits and temporary licenses; requiring drivers to be fifteen (15) years old to be eligible for such permits or licenses; increasing life of instruction permit to six (6) months; repealing all acts or parts of acts in conflict herewith."	134, 168, 487, 502, 508, 584.
56	Introduced by McKenna (Fergus), Rice: A bill for an act entitled: "An act to amend section 26-321 of the Revised Codes of Montana, 1947; as amended by section 1, chapter 132, Laws of 1955; relating to closed and open season for fur-bearing animals, to delete fox and add Canada lynx and black-footed ferret."	183, 185, 454, 470, 473, 515.
57	Introduced by McKenna (Fergus) and Rice: A bill for an act entitled: "An act to amend section 5 of chapter 285, Laws of 1959, relating to equipment requirements for vessels, to provide for certain exceptions for equipment standards for life preservers and fire extinguishers; and containing a repealing clause."	311, 312, 497, 521, 532, 594.
58	Introduced by Mahoney, Dussault, Groff, Durkee, Cumming: A bill for an act entitled: "An act to amend section 31-153, R.C.M. 1947, relating to unlawful uses of licenses; deleting the word 'fraudulently' from subsection one (1) of this section; providing that all acts or parts in conflict herewith are hereby repealed."	126, 168, 461, 477, 483, 515.
59	Introduced by Mahoney, Dussault, Groff, Durkee, Cumming: A bill for an act entitled: "An act to amend section 53-434, R.C.M. 1947, as amended by section 1, chapter 106, Laws of 1957; relating to proof of financial responsibility required upon certain convictions; deleting requirement of proof of financial responsibility under circumstances other than license revocation; repealing all acts or parts of acts in conflict herewith."	126, 168, 515, 546, 556, 619.
60	Introduced by Dussault, Harken: A bill for an act	

No.	Title of Bill	Page
	entitled: "An act adopting and inserting as a new chapter 2601 in title 93, Revised Codes of Montana, 1947, the uniform reciprocal enforcement of support act as amended by the national conference of commissioners on uniform state laws in 1958; providing additional remedies for enforcement of duties of support; providing for criminal enforcement by extradition; providing for civil enforcement where parties reside in different states or in different counties of Montana; providing for registration and enforcement of foreign support orders and support orders issued in different counties of Montana; and repealing sections 1 through 18 of chapter 222, Laws of 1951, codified as chapter 901, sections 94-901-1 through 94-901-18, 1959 cumulative pocket supplement to volume 8, Revised Codes of Montana, 1947, and repealing all acts and parts of acts in conflict herewith and providing an effective date."	175, 176, 512, 546, 555, 619.
62	Introduced by DeWolfe, Nixon, Cotton, Nees, Morrow, Schoonover, Ullom, Durkee: A bill for an act entitled: "An act to allow the board of trustees of any organized and legal school district, may, in their discretion, request the use of federal reimbursement of money in lieu of taxes to school districts to be allocated to the school district lunch fund for eligible indigent enrolled pupils who are part of the program; providing for the certification of federally connected indigent pupils by the county department of welfare, county superintendent of schools, county health department and school district authorized representative, or the board of trustees, prescribing the basis for allocation of federal reimbursement of funds, and the allocation thereof by the county treasurer; providing for an effective date and a repealing clause."	348, 349, 497, 521, 539, 550, 619.
63	Introduced by McKenna (Fergus), Mahoney: A bill for an act entitled: "An act providing that it shall be unlawful for a city attorney, or his associates or employees in a first or second class city, to represent a defendant in justice or district court."	126, 168, 541.
66	Introduced by McKeon: A bill for an act entitled: "An act to provide that unreasonable delay in making payment of the full amount of an order, decision or award of the industrial accident board shall result in a ten per cent (10%) increase in compensation due an injured working man; and providing an effective date."	214, 215, 539, 550, 619.
67	Introduced by Hibbs, Cumming, Durkee: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional	

No.	Title of Bill	Page
	status of justice of the peace courts, police courts and municipal courts by deleting certain specific references to such courts in the Constitution by amending sections 8 and 23, article III and sections 1 and 34, article VIII and by repealing sections 20, 21, 22, 23 and 24, article VIII."	348, 349, 463, 477, 486, 491, 506, 584.
68	Introduced by Cashmore, Siderius, Dussault and Harken: A bill for an act entitled: "An act to provide for applications for marriage license; providing that no marriage license shall be issued for at least five (5) days after the application is filed; providing that any district judge may upon satisfactory evidence shorten the time; providing that such application for marriage license must be subscribed and sworn to by the parties; and the contents of such application and for the issuance of the marriage license, and containing a repealing clause."	197, 301, 460, 467, 477, 515.
69	Introduced by Cashmore, Siderius, Dussault and Harken: A bill for an act entitled: "An act to amend sections 48-102, 48-119, 48-120 and 48-121, Revised Codes of Montana, 1947, and section 48-134, Revised Codes of Montana, 1947, as amended by chapter 21, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to marriage; raising the ages at which unmarried males and unmarried female, respectively, are capable of consenting to and consummating marriage without the consent of their parents, or parent, or guardian; providing that certain non-aged persons are capable of consenting to and consummating marriage with the written consent of the father if living and having custody and control, if not, then of the mother of such person under age, or the guardian, or person under whose care such person under age may be; prohibiting the issuance of marriage license to such non-aged persons in the absence of such consent; providing for the filing of such consent in the office of the clerk of the district court and for the endorsement of the fact thereof on the marriage license of such non-aged persons; repealing section 48-104, Revised Codes of Montana, 1947, repealing section 48-121, Revised Codes of Montana, 1947, relating to the voidability of certain marriages; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	197, 198, 301, 460, 467, 473, 544, 561.
70	Introduced by Cashmore, Siderius, Dussault, Harken: A bill for an act entitled: "An act to amend sections 48-202, 48-203, 48-204 and 48-205, Revised Codes of Montana, 1947, relating to annulling marriage; providing, as a ground of annulment, that the party in whose behalf it is sought to have the marriage annulled was without the	

No.	Title of Bill	Page
	capability of consenting thereto; deleting the provision that an action to obtain a decree of nullity of marriage of a party who was married under the age of legal consent may be brought by a person, other than a parent or guardian of such party, having charge of such party; providing that the issue of certain marriages is legitimate; authorizing the court in annulment proceedings to make orders for the custody, care, education, maintenance and support of children; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	197, 198, 543, 561.
71	Introduced by Sagunsky, Edwards: A bill for an act entitled: "An act to amend section 31-143, R.C.M. 1947, relating to authority of board to suspend or revoke the license of nonresidents the same as residents; authorizing board to forward certified copy of record of bond forfeitures to states wherein nonresident resides; providing that all acts or parts of acts in conflict herewith are hereby repealed."	126, 169, 487.
Sub. 72	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 3, chapter 267, Laws of 1955, as amended by section 1, chapter 106, Laws of 1959, compiled as section 26-602.3 of the Revised Codes of Montana, 1947, relating to the definition of resident for the purpose of issuing resident fishing and hunting licenses."	S-204, 205, 454, 467, 476, 515.
73	Introduced by Rieder, Michels, Thiessen, McGowan, Brenner, Grieve, Stein: A bill for an act entitled: "An act to amend section 93-9906, of the Revised Codes of Montana, 1947, relating to lands required for public use; providing that public use must be compatible with the greatest public good and the least private injury; providing that consideration must be given to irrigated lands or lands susceptible of irrigation; providing that when interstate highways are to be located where a controversy arises concerning the location of the same, upon written petition by a landowner or landowners the judge or judges of the judicial district involved shall appoint a citizen's committee of six resident freeholders, three of whom shall be rural resident freeholders who shall sit with the state highway commission as a board of arbitrators at a specified time, to determine, hear and decide such controversy, providing the giving of agents of the state the right to enter upon such lands, after conference with landowner or landowners; and providing for an effective date of this act."	183, 184, 197.
76	Introduced by Cotton, Rieder, Thiessen, O'Neill and Cook: A bill for an act entitled: "An act giving to all teachers a minimum of five (5) days per	

No.	Title of Bill	Page
	annum sick leave and permitting the sick leave to be accumulated to a minimum of thirty (30) days if in continuous employment by a school district."	266, 268, 523, 539, 546, 547.
77	Introduced by Shaw, McDonnell, McKeon: A bill for an act entitled: "An act to amend section 16-2028, Revised Codes of Montana, 1947, relating to county bond issues, to provide that authority to issue bonds as previously granted by a bond election shall be automatically rescinded if the bonds have not been sold within three years of the date of the election and if no vested rights have accrued under the bond issue."	175, 176, 471, 514, 521, 532, 619.
78	Introduced by McGowan, Balgord, Cumming, Groff, Durkee, Thiessen and Stein: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the State Water Conservation Board and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the State Engineer and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by State Water Conservation Board; authorizing State Water Conservation Board to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the State Water Conservation Board; providing for appeals authorizing county attorneys to perform certain services; authorizing State Water Conservation Board to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusively, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a saving clause; and providing for an effective date."	266, 268, 488, HS-562.
Hse. Sub. for S.B. 78	Introduced by the Committee on Judiciary: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; providing for the appropriation of ground water;	

No.	Title of Bill	Page
	providing for the filing of claims of vested ground water rights with the state administrator and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the state engineer and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by state administrator; authorizing state administrator to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water right; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the state administrator; providing for appeals; authorizing county attorneys to perform certain services; authorizing state administrator to administer oaths, and to prescribe reasonable rules and regulations; providing for fees; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a saving clause; and providing for an effective date."	562, 563, 567, 568, 575, 580, 609, 646, 647, 654, 657, 672.
79	Introduced by Harken: A bill for an act entitled: "An act to amend section 53-107, Revised Codes of Montana, 1947, as amended by section 1, chapter 115, Laws of 1953; as amended by section 1, chapter 200, Laws of 1955, relating to certificates of registration and ownership—contents, issuance, entry, assignment of numbers—owner's registration receipt to be signed, carried and exhibited on demand; requiring certificates of registration receipt to be carried in all vehicles, excluding passenger cars, or to be carried by persons driving or in control of such vehicle; striking provision which exempts carrying and exhibiting certificate during re-registration or transfer of title; fixing penalty for violation of section; repealing all acts or parts of acts in conflict herewith."	183, 185, 472, 486, 487, 496, 509, 514, 521, 522, 594.
80	Introduced by Michels: A bill for an act entitled: "An act to amend section 32-1126, Revised Codes of Montana, 1947, relating to the authority of officers to weigh loads and require the removal of excessive loads; providing that all materials so unloaded, as required by this section shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator of such	

No.	Title of Bill	Page
	vehicle and providing a time of removal; repealing all acts or parts of acts in conflict herewith."	197, 199, 487.
81	Introduced by Michels: A bill for an act entitled: "An act to amend section 53-102 (1755.1), R. C. M. relating to penalty for violations and enforcement of provisions of motor vehicle registration laws; providing penalties for violation of sections 53-106, as amended, 53-106.1, 53-106.2, 53-106.6, 53-107, as amended, 53-108, as amended, and 53-109, as amended, R. C. M. 1947, repealing all acts or parts of acts in conflict herewith."	183, 184, 487, 502, 508, 584.
83	Introduced by Groff, McGowan, Dussault, Cumming, LaCombe, Brenner, Mackay: A bill for an act entitled: "An act approving, ratifying and enacting into law the Columbia interstate compact relating to the waters of the Columbia river and its tributaries and for matters incidental thereto entered into at the City of Spokane, State of Washington, on October 3, 1960, by commissioners representing the states of Montana, Idaho, Oregon, Washington, Nevada, Utah, and Wyoming; making the State of Montana a party thereto; creating the Columbia Interstate Compact Commission; providing for the appointment of the members of such commission from the State of Montana and for fixing their terms of office, and salaries; providing for the giving of notice of ratification of the compact; providing for the carrying out of said compact and providing an effective date."	214, 215, 463, 470, 477, 482, 515.
Sub. 84	Introduced by Committee on Local Government: A bill for an act entitled: "An act relating to ambulance service in counties; permitting a county to establish and maintain such ambulance service, if no private ambulance service is available, upon receipt of a petition signed by a majority of the taxpayers listed on the last-completed assessment roll; authorizing the county to contract for facilities and equipment and operators or attendants, to adopt rules and establish fees; requiring the county to abandon its ambulance service if a private service comes into the county and to sell its facilities and equipment."	S-289, 290, 462, 477, 486, 496, 514, 548, 590, 623, 652, 657, 672.
85	Introduced by Anderson: A bill for an act entitled: "An act to amend section 31-135, R.C.M. 1947, relating to issuance of licenses to operators and chauffeurs; deleting obsolete provisions concerning expiration of licenses; providing that paragraph (d) will become paragraph (c); providing that all acts or parts of acts in conflict herewith are hereby repealed."	214, 216, 512, 525, 539, 561.

No.	Title of Bill	Page
Sub. 86	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to amend section 31-125, Revised Codes of Montana, 1947, as amended by section 1, chapter 37, Laws of 1951, as amended by section 1, chapter 79, Laws of 1957, and as amended by section 1, chapter 51, Laws of 1959, relating to licensing of operators and chauffeurs; requiring the surrender of all drivers licenses upon issuance of Montana license; requiring all surrendered licenses to be forwarded to issuing department; prohibiting persons from possessing more than one (1) drivers license; providing that all acts or parts of acts in conflict herewith are hereby repealed."	S-204, 512, 525, 527, 539, 549, 619.
88	Introduced by Carney, Shaw, Thiessen and Cotton: A bill for an act entitled: "An act to amend section 75-1903, Revised Codes of Montana, 1947, relating to the school census; providing for making the census; defining the term 'residing' for census purposes; providing for reporting the census; providing for liability for failure to comply with this act; and containing a repealing clause."	238, 239, 479, 487, 494, 541.
89	Introduced by Shaw, Carney, Thiessen and Cotton: A bill for an act entitled: "An act to amend section 75-1630, Revised Codes of Montana, 1947, relating to elementary school attendance outside the district of residence; providing for authorization of such attendance; providing for determination of residence; providing for payment of tuition; containing a repealing clause; and fixing an effective date."	266, 267, 523, 539, 549, 619.
90	Introduced by Dussault, Hibbs, Mahoney, Bovey, Reardon: A bill for an act entitled: "An act to amend section 93-321, Revised Codes of Montana, 1947, relating to departments of district courts in districts having more than one judge, by requiring that each judge shall be assigned to a numbered department; to amend section 23-2001 of the Revised Codes of Montana, 1947, relating to nomination and election of district court and supreme court judges; providing that each office for associate justice of the supreme court is a separate and independent office for election purposes; providing that each department of the district court in districts which have more than one judge is a separate and independent office for election purposes; to amend section 23-2003, Revised Codes of Montana, 1947, relating to nomination and election of associate justices of the supreme court and judges, by requiring candidates for nomination to the office of associate justice of the supreme court to designate in their petition for nomination the number of the associate justice whose office they are seeking; and requiring candidates	

No.	Title of Bill	Page
	for judge in districts having more than one judge to specify the numbered department to which they seek nomination and election and limiting their candidacy to the numbered department so specified; to amend section 23-2005, Revised Codes of Montana, 1947, relating to arrangement and certification of names of judicial candidates; and repealing all acts or parts of acts in conflict herewith."	197, 198, 515, 546, 556, 619.
93	Introduced by Cotton, Groff, Cumming: A bill for an act entitled: "An act to amend section 75-3612 of the Revised Codes of Montana of 1947, as amended by chapter 241, Laws of 1955, chapter 251, Laws of 1957, and chapter 267, Laws of 1959, providing that if a high school having an ANB of twenty-four (24) or less for three consecutive years is not approved as an isolated high school, then it shall receive no state equalization aid, and amending section 75-3617 of the Revised Codes of Montana of 1947, and providing that approval by the state superintendent of public instruction, and containing a repealing clause."	379, 380, 522, 539, 549, 619.
94	Introduced by DeWolfe, Durkee, Cotton, Ullom, Schoonover, Nixon: A bill for an act entitled: "An act to amend section 75-4516.1, of replacement volume 4, Revised Codes of Montana, 1947, as amended by section 4, chapter 208, Session Laws of Montana, 1951, and as further amended by section 1, chapter 202, Session Laws of Montana, 1953, relating to levy of taxes for high school district budgets and removing restrictions on the budgeting power of school trustees when federal funds are applied to financing the permissive area above the foundation program, providing for an effective date and containing a repealing clause."	407, 409, 546, 557, 619.
95	Introduced by DeWolfe, Durkee, Cotton, Ullom, Schoonover, Nixon: A bill for an act entitled: "An act to amend section 75-1723, Revised Codes of Montana, 1947, as amended by section 1, chapter 247, Session Laws of Montana, 1953, relating to fixing of tax levy for elementary school district budgets, and removing restrictions on the budgeting power of school trustees when federal funds are applied to financing the permissive thirty per cent (30%) limit area above the foundation program, providing for an effective date, and containing a repealing clause."	407, 409, 546, 557, 619.
96	Introduced by Groff, Durkee, Hibbs: A bill for an act entitled: "An act to amend section 69-103, R. C. M. 1947, to provide that the executive officer of the board of health receive such annual	

No.	Title of Bill	Page
	salary as may be fixed by the Legislative Assembly."	397, 398, 542, 565, 572, 593, 594, 606, 619, 650.
97	Introduced by Cotton, Cumming, Durkee, Rostad, Newman, Siderius: A bill for an act entitled: "An act to amend section 72-668, Revised Codes of Montana, 1947, to provide for the installation of side curtains or similar protective devices upon track motor cars operated by railroads running through or within the state as a common carrier."	222, 228, 546, 547.
98	Introduced by Brenner: A bill for an act entitled: "An act to amend section 89-1206, Revised Codes of Montana, 1947, relating to county which board of commissioners of an irrigation district may designate for office of board, to provide that the board may designate the office of the board to be in a county containing a substantial portion of the lands of the irrigation district; and to amend section 89-1814, Revised Codes of Montana, 1947, relating to the transmission of funds of an irrigation district located in more than one county, to provide for the transmission of funds by the county treasurers of counties where the office of the district is not located to the treasurer of the county wherein the office of the district is located; repealing all acts or parts of acts in conflict herewith."	255, 256, 434, 460, 467, 476, 515.
99	Introduced by Wilson, Hibbs: A bill for an act entitled: "An act to amend section 60-132, Revised Codes of Montana, 1947, relating to rules and regulations, hearings, notice of hearings and emergency orders of the oil and gas conservation commission of the State of Montana; amending sub-section D. of said section relative to the manner in which the commission shall give notice of hearing; repealing all acts and parts of acts in conflict herewith."	183, 184, 486, 527, 537, 619.
102	Introduced by Cook: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special non-resident antelope and special non-resident deer licenses, fixing the fees, and powers, and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed, and containing an expiration date."	197, 198, HS-331.
Hse. Sub. for S.B. 102	Introduced by Committee on Fish and Game. A bill for an act entitled: "An act to amend section 26-104 Revised Codes of Montana, 1947, as amended by chapter 36, Laws of Montana, 1959 and chapter 96 Laws of Montana, 1959, to authorize the fish and game commission to issue special non-resident antelope and non-resident deer	

No.	Title of Bill	Page
	licenses in areas where complaints have been received by the fish and game commission, and amending section 26-202.1, Revised Codes of Montana, 1947 as amended by chapter 36, Laws of Montana, 1959, to provide for a classification and fees for such non-resident antelope and non-resident deer licenses; repealing all acts and parts of acts in conflict herewith."	331, 339, 371, 402, 405, 412, 420, SSSH-505.
Sen. Sub. for Hse. Sub. S.B. 102	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special non-resident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed, and containing an expiration date."	505, 554, 555, 563, 569, 572, 619.
103	Introduced by McKeon, Carney, McGowan, Cumming, Durkee and Reardon: A bill for an act entitled: "An act relating to the manner of determining inheritance taxes on the transfer by deed between husband to wife and wife to husband conveying real property within three (3) years of date of death or at or after death; establishing a procedure therefor; imposing certain duties on county clerk and recorders, county assessors and the state board of equalization; providing that the provisions of this act be governed by section 91-4416, Revised Codes of Montana, 1947; and establishing a valuation limitation."	311, 312, 540, 565, 574, 619.
104	Introduced by Graham, Cotton, Dussault: A bill for an act entitled: "An act relating to the filing of satisfaction and discharges of chattel mortgages, conditional sales contracts, leases or other liens on motor vehicles; providing a penalty for mortgagee's, conditional sales vendor's, lessor's or their assignee's failure to file satisfactions with the registrar of motor vehicles within fifteen (15) days after receiving final payment of their liens; by amending section 53-110, R.C.M. 1947, and containing a repealing clause."	214, 215, 512.
105	Introduced by Thiessen, Cotton: A bill for an act entitled: "An act to amend section 75-3410, Revised Codes of Montana, 1947, relating to determination of residences for purposes of school transportation; containing a repealing clause; and fixing an effective date."	280, 281, 563, 568, 574, 619.
106	Introduced by Thiessen, Cotton: A bill for an act entitled: "An act to amend section 75-4230, Revised Codes of Montana, 1947, relating to high school attendance outside the county of residence; providing for authorization of such attendance	

No.	Title of Bill	Page
	providing for determination of residence; providing for payment of tuition; containing a repealing clause; and fixing an effective date."	407, 409, 563.
108	Introduced by McDonnell, Harken, Dussault: A bill for an act entitled: "An act to amend section 53-421 of Replacement Volume 3, of the Revised Codes of Montana, 1947, requiring written reports within ten (10) days after an accident at which any person was killed or injured or which property damage of any one person was in excess of one hundred dollars (\$100.00), to be submitted to the Montana state highway patrol supervisor on forms prescribed by him; and repealing sections 53-422 and 53-423 of the Revised Codes of Montana, 1947, as amended by chapter 83, Session Laws of Montana of 1959, and repealing sections 53-424, 53-425, 53-426, 53-427, and 53-428, of the Replacement Volume 3, of the Revised Codes of Montana, of 1947; and containing a repealing clause."	311, 312, 512.
109	Introduced by Mahoney, Manning: A bill for an act entitled: "An act to amend section 31-131, R. C. M. 1947, relating to application for drivers license of minors; authorizing surviving parent or custodian of minor to sign application for licensee; repealing all acts or parts of acts in conflict herewith."	204, 205, 512, 525, 535, 594.
Sub. 110	Introduced by Committee on Education: A bill for an act entitled: "An act to amend section 75-3612 of the Revised Codes of Montana, 1947, as amended by chapter 241, Laws of 1955, chapter 251, Laws of 1957, and chapter 267, Laws of 1959, providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; providing schedules for determining support of foundation financial program for public elementary and secondary schools, and for other purposes; and containing a repealing clause and effective date."	S-358, 359, 524, 546.
112	Introduced by McKeon, Reardon, Brenner, Brownfield: A bill for an act entitled: "An act relating to and providing for the acquisition by eminent domain of interests in the surface of property to the extent necessary to mine and extract ores, metals or minerals by the owner thereof when the same are located beneath or upon the surface, the title to which is vested in others, and to amend sections 93-9902 and 93-9903 of the Revised Codes of Montana, 1947, as amended by the Laws of Montana of 1953 and 1955, relating to the right of eminent domain, and repealing all acts or parts of acts in conflict herewith."	379, 380, 541, 561, 570, 619.
113	Introduced by Bovey, Mackay: A bill for an act en-	

No.	Title of Bill	Page
	<p>titled: "An act to provide for the restoration, preservation, and maintenance of the old governor's mansion, Helena, Montana, as a period home museum and to vest control of the old governor's mansion in the board of trustees of the Historical Society of the State of Montana, under certain conditions; authorize the said board to collect fees and charges for the use of said mansion, and deposit the same to the credit of the 'old governor's mansion fund' and providing this act shall be in force and effect after its passage and approval until March 1, 1963."</p>	348, 349, 488, 503, 509, 584.
114	<p>Introduced by Hibbs, Morrow: A bill for an act entitled: "An act amending section 82-1131, Revised Codes of Montana, 1947, relating to bidding requirements for construction, alteration, repair and improvement of buildings and grounds on behalf of the State of Montana; raising minimum per job figure from five hundred dollars (\$500.00) to one thousand dollars (\$1,000.00), and requiring all jobs over said figure to be done only after competitive bidding; repealing all acts and parts of acts in conflict herewith; providing effective date."</p>	407, 409, 511, 525, 535, 594.
115	<p>Introduced by Brenner: A bill for an act entitled: "An act to amend sections 12 and 18, of chapter 153, of the Session Laws of Montana, 1955, designated as sections 94-9832 and 94-9838 respectively, in the 1959 cumulative pocket supplement in volume 8 of the Revised Codes of Montana, 1947, relating to release on parole of any person by the Montana state board of pardons, confined in the Montana state prison, to meeting certain requirements, except persons under sentence of death; providing that convicts with one prior felony conviction serve one-half ($\frac{1}{2}$) of their sentence, convicts with two (2) prior felony convictions serve three-fourths ($\frac{3}{4}$) of their sentence, and convicts with more than two (2) prior felony convictions serve the full amount of their sentence; providing that the United States department of justice, federal bureau of investigation reports or Montana state prison and the state board of criminal identification records are to be used as a basis to show prior convictions of convicts; providing for parole of convicts under life sentence who have served twenty-five (25) years; providing for good time allowances, review of convicts' records, and establishing parole procedures; providing for arrest of parolees or probationers upon violation of condition of release; providing that during the time of parole violation shall not be counted as time served under the sentence by the convict; providing for a saving clause."</p>	255, 256, 413.
118	<p>Introduced by Thiessen, Carney, James, Brenner: A</p>	

No.	Title of Bill	Page
	bill for an act entitled: "An act to amend sections 75-1723, 75-3616, 75-3618 and 75-3706, Revised Codes of Montana, 1947, as amended by chapter 272, Laws of 1955, providing for an increase to fifteen (15) mills in the country-wide common school levy and providing for the repeal of the school district five (5) mill common school levy; and providing that federal payments shall not be included in the foundation program; and repealing all acts and parts of acts in conflict herewith."	408, 409, HS-522.
Hse. Sub. for S.B. 118	Introduced by Committee on Education: A bill for an act entitled: "An act to amend sections 75-1723, 75-3616, 75-3618 and 75-3706, Revised Codes of Montana, 1947, as amended by chapter 272, Laws of 1955, providing for an increase to fifteen (15) mills in the county-wide common school levy and providing for the repeal of the school district five (5) mill common school levy; and providing that certain federal payments shall not be included in the foundation program for equalization purposes; and repealing all acts and parts of acts in conflict herewith."	522, 525, 548, 561, 570, 574, 590, 591, 646, 647, 659, 662.
119	Introduced by Mahoney, Thiessen, Durkee, Cumming, Dussault and Ullom: A bill for an act entitled: "An act relating to the preparation and distribution of obscene literature; making the following offenses punishable by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment not exceeding one (1) year, or both; the distribution of obscene material to a person under the age of twenty-one (21), the preparation of obscene material for distribution to a person under the age of twenty-one (21), the employment of a person under the age of twenty-one (21) for the purpose of preparing or distributing obscene material, permitting a person under the age of twenty-one (21) in one's custody to prepare or distribute obscene material, requiring as a condition of sale that the purchaser of a publication accept obscene material; amending section 94-3603, Revised Codes of Montana, 1947, to delete reference to obscene material and repealing section 94-3601, 94-3602, 94-3604, 94-3605 and 94-3606, Revised Codes of Montana, 1947, relating to obscene material."	234, 236, 462, 473, 478.
124	Introduced by Nixon: A bill for an act entitled: "An act to amend section 91-4401 and 91-4414 of the Revised Codes of Montana, 1947, relating to inheritance taxes on transfer of property, making exempt from such inheritance taxes any transfers to or for the use of corporations or voluntary associations created or organized solely for religious, charitable or educational purposes, regardless of the state of organization or creation, and providing that the property so transferred is used	

No.	Title of Bill	Page
	exclusively for the purposes of such organizations within the state of Montana; providing for the repeal of all acts or parts of acts in conflict herewith; and providing for an effective date."	238, 239, 255, 258.
125	Introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 32-404 of Replacement Volume 3, of the Revised Codes of Montana, of 1947, relating to establishing, altering or vacating highways; providing that after the county commissioners and the county surveyor have considered the petition, they shall within ten (10) days notify by certified mail the petitioners and all land owners as disclosed by the last assessment rolls of the county, owning land abutting the road."	214, 216, 488, 502, 510, 584.
127	Introduced by Cumming, Dussault: A bill for an act entitled: "An act to amend section 4-333 of the Revised Codes of Montana, 1947, as amended by chapter 165, Laws of the Thirty-first Legislative Assembly, 1949, as further amended by chapter 55, Laws of the Thirty-fourth Legislative Assembly, 1955, and as further amended by chapter 205, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the powers of the Montana Liquor Control Board in the issuing of retail beer licenses, the number of such licenses that may be issued and the lapse and cancellation of such licenses for non-user; making the license quota limitations of said section applicable to veterans' and fraternal organizations and deleting the restrictions of said section on the transferability of licenses issued to such organizations after the effective date of this act; empowering said board to restrict the renewability of retail beer licenses in certain instances; and repealing all acts and parts of acts in conflict herewith."	222, 223, 541.
128	Introduced by Dussault, Cumming: A bill for an act entitled: "An act to amend section 4-403, of the Revised Codes of Montana. 1947, as amended by chapter 164, Laws of the Thirty-first Legislative assembly, 1949, as further amended by chapter 144, Laws of the Thirty-second Legislative Assembly, 1951, as further amended by chapter 56, Laws of the Thirty-fourth Legislative Assembly, 1955, as further amended by chapter 206, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the powers of the Montana Liquor Control Board in the issuing of retail liquor licenses, the number of such licenses that may be issued and the lapse and cancellation of such licenses for non-user; making the license quota limitations of said section applicable to veterans' and fraternal organizations and deleting the restrictions of said section on the transferability of licenses issued to such organizations after the effective date of this act; empowering said board to	

No.	Title of Bill	Page
	restrict the renewability of retail liquor licenses in certain instances; and repealing all acts and parts of acts in conflict herewith."	222, 223, 541.
Sub. 130	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to provide the boards of county commissioners with secondary road information."	S-338, 488, 503, 507, 584.
131	Introduced by Mackay: A bill for an act entitled: "An act to amend section 75-3616, R.C.M. 1947, relating to distribution of the state public school equalization fund, to provide that after the state board of education orders disbursements in the months of December, February and April that the money be disbursed in the amount of forty (40) percent of the fund before the last day of January; in the amount of twenty (20) percent of the fund before the last day of March and in the amount of forty (40) percent of the fund before the last day of June."	407, 409, 479.
132	Introduced by Harken (by request): A bill for an act entitled: "An act to amend section 31-147, R.C.M. 1947, relating to authority of board to suspend or revoke license; striking the word 'revoke' from title of section; authorizing board to suspend license or driving privilege of person who falsifies application for license; authorizing board to issue probationary license to unsafe drivers as is shown by driving record; providing that board shall determine restrictions for such probationary license and requiring licensee to obey restrictions; establishing term of probation; requiring licensee to surrender all current licenses and authorizing board to suspend for refusal or neglect to surrender such licenses; providing that all acts or parts of acts in conflict herewith are hereby repealed."	379, 380, 472, 486, 492, 541.
133	Introduced by Groff, Hibbs and Durkee: A bill for an act entitled: "An act to amend section 5-1117 of the Revised Codes of Montana, 1947, relating to the disposition of unclaimed funds of liquidated banks by providing for deposit of funds and accumulated interest in the general fund; providing for application to the State Board of Examiners by depositors or creditors for amounts due; providing for transmission to the Legislative Assembly of approved applications; and providing for deposit of funds and accumulated interest on hand in the general fund."	266, 267, 504, 526, 537, 594.
136	Introduced by Lehrkind: A bill for an act entitled: "An act to amend chapter 17, of the Session Laws of Montana, of 1959, designated as section 35-414 in the 1959 cumulative pocket supplement	

No.	Title of Bill	Page
	of Replacement Volume 3, of the Revised Codes of Montana, of 1947, relating to the termination of operation of housing facilities acquired pursuant to the emergency war and veterans housing facilities act of the State of Montana; extending the date of termination of operation from May 1, 1961, to May 1, 1965; and containing a repealing clause."	214, 215, 496, 543, 565, 571, 619.
137	Introduced by McKeon, Mahoney, Brenner, Brownfield and Nixon: A bill for an act entitled: "An act relating to classification of property for taxation to provide for the encouragement of new industry in the State of Montana by establishing a separate classification for new industrial property during the first five years of operation; amending section 84-301, Revised Codes of Montana, 1947, as last amended by chapter 88 of the Laws of Montana, 1957, to provide a classification for new industrial property; amending section 84-302, Revised Codes of Montana, 1947, to provide a basis for imposition of taxes on new industrial property; repealing all acts and parts of acts in conflict herewith; containing a severability clause and providing for an effective date."	266, 267, 469, 477, 486, 496, 510, 514, 526, 548, 593, 594, 606, 618, 656, 672.
138	Introduced by Newman (by request): A bill for an act entitled: "An act to repeal sections 3-1701, 3-1702, 3-1703, 3-1704, 3-1705, 3-1706, 3-1707, 3-1708, 3-1709, 3-1710 and 3-1711 of the Revised Codes of Montana, 1947, pertaining to the regulation of sales of commercial fertilizer."	222, 223, 355, 460, 466.
140	Introduced by Brenner, McKeon, Manning: A bill for an act entitled: "An act to amend section 84-1505 of Replacement Volume 5, of the Revised Codes of Montana, of 1947, relating to the assessment, payment and collection of the Montana corporation license tax by the Montana State Board of Equalization; specifying the time of payment of tax by corporations on a calendar year basis and corporations on a fiscal year basis; providing for penalties in cases of refusal or neglect to make returns, and in cases of erroneous, false or fraudulent returns; providing for penalties for the nonpayment of the corporation license fee; providing for refund; providing for levy upon and sale of real and personal property for nonpayment of corporation license income tax; providing that actions may be brought by the Attorney General of Montana at the request of the Board of Equalization; providing for an effective date of this act; and containing a repealing clause."	311, 312, 468, 477, 484, 541.
141	Introduced by Groff, Durkee, Cumming: A bill for	

No.	Title of Bill	Page
	an act entitled: "An act to amend section 26-1201 of the Revised Codes of Montana, 1947; relating to license fees for possessing and controlling live fur-bearing animals; providing that fur-bearing animals be enclosed by approved fencing material, and reasonable inspection thereof by state fish and game wardens; providing that holders of game farm licenses shall keep a permanent record of all sales and purchases and of fur-bearing animals controlled or possessed under such licenses, and inspection of said records by the state fish and game wardens; and providing for a penalty for violation of this act; providing for exclusions; and containing a repealing clause."	311, 312, 525, 539.
142	Introduced by Groff, Durkee and Cumming: A bill for an act entitled: "An act to provide for license to possess, propagate and control live game birds and game animals; providing for regulations under which game farms shall be operated; providing penalties for violation of act; and repealing all acts or parts of acts in conflict herewith."	234, 236, 522, 546.
148	Introduced by Durkee: A bill for an act entitled: "An act to amend section 43-902, R.C.M. 1947, enacted as section 2, chapter 223, Session Laws of 1959, relating to schedule of fees for receiving sets of Legislature proceedings, to provide that all persons, other than representatives of the press, radio and television, must pay, in addition to the fees enumerated in this act, their actual postal expense for receiving such proceedings."	266, 267, 517.
151	Introduced by McGowan, Carney and Shaw: A bill for an act entitled: "An act to amend sections 76-101, 76-103 and 76-105, Revised Codes of Montana, 1947, to provide for changing the name of the soil conservation districts to soil and water conservation districts."	234, 236, 355, 460, 465, 496.
154	Introduced by Cumming, Durkee, James, Carney: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 20, article VII of the Constitution of the State of Montana relating to the composition, powers and duties of the state board of examiners, to provide for the abolishment of the state board of prison commissioners as a constitutional body."	408, 410, 462.
155	Introduced by Hibbs, Harken: A bill for an act entitled: "An act to amend section 81-1707, Revised Codes of Montana, 1947, relating to rule making power of the State Board of Land Commissioners, requiring formulation, publication and distribution of rules and regulations and containing a repealing clause."	222, 512, 525, 536, 594.
157	Introduced by Schoonover, DeWolfe: A bill for an	

No.	Title of Bill	Page
	act entitled: "An act to amend section 75-506.1, Revised Codes of Montana, 1947, enacted in section 1, chapter 108, Session Laws of 1951; relating to permitting Indians to attend units of the University of Montana without payment of fees; defining who may attend and increasing the number thereof; and containing a repealing clause."	348, 349, 479, 487, 495, 541.
158	Introduced by Siderius, McKenna (Fergus), Cashmore, Edwards: A bill for an act entitled: "An act relating to aid of disabled elector at an election: amending section 12-1213, R.C.M. 1947, to require judges who assist such elector to so certify on the official register, instead of on the ballot, in order to protect the secret ballot of the elector.".....	379, 380, 462, 470, 475, 515.
Sub. 159	Introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend section 66-2401, Revised Codes of Montana, 1947, relating to plumbers in cities and towns of more than 1,000 inhabitants to require licensing of plumbers in certain other cases and to provide exceptions thereto; to amend section 66-2403, Revised Codes of Montana, 1947, as amended by chapter 255, Laws of Montana, 1959, relating to board of plumbing examiners and compensation of board members by eliminating the director of the division of sanitary engineering of the Montana state board of health or his duly designated representative and substituting therefor the duly appointed representative of the Montana state board of health who shall be a sanitary engineer and who shall be a member and secretary of the state board of plumbing examiners and by increasing the compensation for members of the board from ten dollars per diem to twenty dollars per diem; to amend section 66-2405, Revised Codes of Montana, 1947, to require master plumbers to deposit with the board a surety bond in the amount of ten thousand dollars; to amend section 66-2411, Revised Codes of Montana, 1947, relating to penalty for violation by plumbers in certain other cases and to provide exceptions thereto; and containing a saving clause."	S-407, 410, 511, 526, 536, 619.
163	Introduced by Siderius, Brenner, McKeon, Bovey: A bill for an act entitled: "An act to amend section 84-301, Revised Codes of Montana, 1947, relating to classification of property for taxation, to include property of rural telephone associations with property of rural electrical associations, and deleting property in class six (6), and providing that trailers permanently affixed to the land on land owned, leased or under contract of purchase by the trailer owner, to be included in class four (4); and containing a repealing clause, and providing for an effective date."	348, 350, 469, 477, 484, 541.

No.	Title of Bill	Page
164	Introduced by McKenna (Fergus), McDonnell, Goodwin: A bill for an act entitled: "An act to amend section 16-3201, Revised Codes of Montana, 1947, relating to the creation of the office of county auditor in counties of the State of Montana of the first, second, third and fourth classes; providing that this act shall not apply to counties with population of less than fifteen thousand according to the last federal census of 1960; providing that in fifth class counties electing an auditor, his term shall expire at the expiration of his present term; and containing an effective date of this act."	214, 215, 434, 460, 466, 496.
Sub. 166	Introduced by Committee on Local Government: A bill for an act entitled: "An act to amend section 11-403, Revised Codes of Montana, 1947, as amended by chapter 238 of the Session Laws of 1959, relating to the extension of boundaries of cities; providing the procedure for such extension by cities of the first class; providing that city councils of cities of the first class may not, without petition, consider or act upon any resolution of annexation within two years after the disapproval of a prior resolution relating to the same territory; repealing all acts and parts of acts in conflict herewith and providing an effective date."	S-358, 359, 563, 569, 570, 575, 593, 594, 606, 623, 650.
167	Introduced by Dussault (by request): A bill for an act entitled: "An act amending section 93-901 Revised Codes, 1947, relating to the disqualification of judicial officers; and containing a repealing clause."	234, 236, 522, 539, 548, 619.
169	Introduced by Brenner: A bill for an act entitled: "An act to amend section 3 of chapter 285, Session Laws of Montana, of 1959, designated as section 69-3504, of the 1959 cumulative pocket supplement, of replacement volume 4, of the Revised Codes of Montana, of 1947, relating to the rules and regulations for numbering and registering motorboats and vessels in the State of Montana by the Montana state fish and game department; providing that the application for a number for the motorboat or vessel shall be accompanied by a current tax certificate of personal property, showing payment thereof for the current year on said boat or vessel; and containing a repealing clause."	255, 256, 497, 521, 534, 619.
170	Introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend section 90-132, Revised Codes of Montana, 1947, relating to the weight of commodities to be indicated on containers and the penalty for violation of the act; providing for the deletion of three percentage	

No.	Title of Bill	Page
	variation being permissible and leaving the statute to read that a one (1%) per cent of variation is permissible providing that the variation is as often above as below the weight, measure or quantity stated."	214, 216, 511, 525.
171	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 3-202, Revised Codes of Montana, 1947, relating to fees to be paid state sealer of weights and measures for inspection of scales; providing for an inspection fee of eight dollars (\$8.00) for automatic or hopper shipping scales up to and including ten (10) ton capacity; providing for raising the fee for inspection of scales with a capacity of up to and including ten (10) tons from eight dollars (\$8.00) to ten dollars (\$10.00); providing for an effective date and repealing clause."	234, 236, 497, 514, 520, 594.
172	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 60-202, Revised Codes of Montana, 1947, as amended by section 3, chapter 131, Session Laws of Montana, of 1955, and as amended by section 2, chapter 96, Session Laws of Montana of 1957, relating to license fees required of retail dealers using measuring devices for gasoline, diesel or fuel oil, and tank meters and bulk petroleum; and vehicle tanks used for distribution of petroleum products without meters; providing for the extension of the act to require a license fee of retail dealers using liquified petroleum meters on vehicle tanks; containing a repealing clause."	234, 236, 497, 546, 556, 619.
173	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 60-201, Revised Codes of Montana, 1947, as amended by section 2, chapter 131, Session Laws of Montana, 1955, and as amended by section 1, chapter 96, Session Laws of Montana, 1957; relating to petroleum products dealer's license; by requiring licenses of all persons engaged in the business of selling or offering, or advertising for sale, or in the business of refining or manufacturing or keeping for sale, petroleum products regardless of the intended use of the products; providing an effective date and repealing clause."	234, 237, 498, 514, 519, 594.
174	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 90-129, Revised Codes of Montana, 1947, as amended by section 1, of chapter 78, of the Session Laws of Montana, of 1959, relating to the authority of the state sealer of weights and measures to inspect and try devices used to weigh or measure and providing the penalty for violation of the act; by providing that the use of any device for weighing	

No.	Title of Bill	Page
	or measuring without the seal of the state sealer is a misdemeanor; providing that the device may be operated for a period not to exceed sixty (60) days where a temporary permit has been issued to the operator of the device by the state sealer of weights and measures; and repealing all acts and parts of acts in conflict herewith."	234, 237, 498, 514, 519, 594.
178	Introduced by McKeon: A bill for an act amending section 92-104, Revised Codes of Montana of 1947 as amended by chapter 231 of the Laws of Montana of 1959, relating to the salary of the appointed member of the industrial accident board and repealing all acts and parts of acts in conflict herewith.	379, 380, 480, 503, 509, 584.
181	Introduced by McKeon, Reardon: A bill for an act entitled: "An act relating to the right of eminent domain; providing that if the power of eminent domain is ever exercised to acquire interests in the surface of property to mine and extract ores, metals or minerals located beneath or upon the surface of property, the decree shall be granted only on condition that the plaintiff simultaneously protects the public in the immediate area by agreeing to meet certain specified conditions."	379, 380, 542, 565, 572, 593, 594, 606, 628, 629, 656, 672.
182	Introduced by Michels, Groff: A bill for an act entitled: "An act to amend sections 32-1018, 32-1019 and 32-1020 of the Revised Codes of Montana, of 1947, to define the crime of using the national system of interstate and defense highways and state highways as a place for the grazing or running of livestock, providing for exceptions and providing a penalty for the violation thereof, providing no presumption or inference of negligence shall arise because of a collision, and repealing all acts and parts of acts in conflict herewith."	407, 410, 553, 561, 565, 573, 593, 594, 606, 620, 623, 650.
185	Introduced by McGowan, Goodwin: A bill for an act entitled: "An act to provide for the distribution of fines collected by district courts for the unlawful operation of motor vehicles by children under the age of eighteen (18) years; providing for time of such distribution; repealing all acts or parts of acts in conflict herewith."	222, 223, 488, 521, 533, 594.
186	Introduced by Hibbs and Mahoney: A bill for an act entitled: "An act to authorize the public service commission of Montana to regulate and supervise the issuance of securities by public utilities furnishing electric or gas service in Montana; to specify the purposes for which such securities	

No.	Title of Bill	Page
	may be issued; to provide for notice of and hearing upon applications for the issuance of such securities; to specify the grounds upon which such applications may be denied; providing for the prompt disposition of such applications; specifying what securities may be issued without order of the commission; providing that securities issued after the effective date of this act without approval of the commission shall be void; providing that nothing in this act shall be construed to imply any guarantee or obligation on the part of the State of Montana in respect of any such securities and repealing all acts and parts of acts in conflict herewith."	239, 378, 460, 465, 496.
190	Introduced by McKenna (Fergus), and Durkee: A bill for an act entitled: "An act relating to salaries of county officers; amending section 25-609, R. C. M. 1947, to provide that salaries fixed in an election year for elected officers shall apply during the entire term for which the officers are elected, including persons who fill vacancies that may occur in such offices; containing a repealing clause."	234, 237, 462.
193	Introduced by McGowan: A bill for an act entitled: "An act to authorize the state board of equalization to acquire additional information reports on payments to nonresidents not subject to state income tax withholding and authorizing the board to adopt rules and regulations requiring the filing of such reports; to provide that the board may order additional withholdings on certain other payments upon finding such action necessary to insure collection of Montana state income taxes upon income of nonresidents; to provide for the method of collection and payment of amounts withheld; to provide for and define the duties of withholding agents under the act and penalties for failure of such agents to withhold or pay; and to provide additional powers and duties of the state board of equalization under this act, by amending sections 84-4903.2, 84-4903.5, and 84-4903.7, Revised Codes of Montana, 1947, as enacted by sections 2, 5 and 7 of chapter 208, Session Laws of 1959, and providing a saving clause; and containing a repealing clause."	408, 410, 469, 477, 484, 584.
195	Introduced by McKenna (Fergus) and Siderius: A bill for an act entitled: "An act to provide for the registration of sex offenders; the persons required to register and the procedure for registration; providing for notice of change of address and forwarding of information; providing that no one shall have access to such information except duly constituted law enforcement officers; providing for a penalty; providing that all acts	

No.	Title of Bill	Page
	and parts of acts in conflict herewith are hereby repealed."	239, 240.
198	Introduced by Cumming, Hibbs: A bill for an act entitled: "An act to amend section 94-7821 of the Revised Codes of Montana, 1947, as amended by chapter 194, Laws of 1955, relating to the power of the court to suspend the execution of the sentence and place the defendant on probation and repealing all acts and parts of acts in conflict herewith."	280, 281, 434, 460, 467, 496.
201	Introduced by O'Neill: A bill for an act entitled: "An act to provide that state institutions, county buildings and public school buildings which use coal for heating shall use Montana native bituminous or lignite coal; providing exception in certain instances."	234, 237, 512, 525, 536, 594.
204	Introduced by Harken, Hibbs: A bill for an act entitled: "An act to confirm the vesting of title in the State of Montana of farm mortgage lands transferred by chapter 250, Laws of 1953, and validating instruments affecting the disposition of said lands."	348, 349, 512, 525, 539, 561, 571, 619.
205	Introduced by Dussault, Hibbs: A bill for an act entitled: "An act to amend section 93-303, Revised Codes of Montana, 1947, as amended by chapter 84, Session Laws of Montana, 1951, and as further amended by chapter 247, Session Laws of Montana, 1955, and as further amended by chapter 198, Session Laws of Montana, 1959, setting the annual salary of district judges at ten thousand seven hundred dollars (\$10,700.00), and to amend chapter 202, Session Laws of Montana, 1959, designated as sections 25-501 and 25-501.1 in the 1959 cumulative pocket supplement of replacement volume 2, Revised Codes of Montana, 1947, relating to annual salaries of various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; defining the scope of salaries, but that such scope shall not limit certain longevity pay; and containing a repealing clause."	567, 568, 578, 589, 591, 595, 650.
206	Introduced by Durkee, Hibbs: A bill for an act entitled: "An act relating to union labels on printing for which the State of Montana is chargeable; amending section 82-1137, Revised Codes of Montana, 1947, to require that such printing shall bear the label of the appropriate union involved in the method of printing adopted."	656, 658, 660, 664, 665, 674.
207	Introduced by Thiessen, Rieder, Cotton, McKeon,	

No.	Title of Bill	Page
	McGowan, Goodwin, Schoonover, Hauk, Stein, Dussault, McKenna (Judith Basin), Michels, Cook, O'Neill, Siderius, Rice, McKenna (Fergus), Hafferman: A bill for an act entitled: "An act to increase by three per cent (3%), for the two-year period beginning July 1, 1961 and ending June 30, 1963, the foundation program schedules provided in section 75-3612, Revised Codes of Montana, 1947, as amended by chapter 267, Laws of 1959."	703, 704, 705.
SENATE JOINT MEMORIALS IN HOUSE		
1	Introduced by Thiessen, Hafferman, Siderius, Morrow and Hauk: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, John F. Kennedy; the Congress of the United States; Mike Mansfield and Lee Metcalf, Senators from the State of Montana; Arnold Olsen and James Battin, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Secretary of the Army; the Chief of the Corps of Engineers, Department of the Army; and the Director of the Budget, urging ratification of International Joint Commission Agreement, urging construction of Libby Dam as soon as possible in order to protect the national interest in water and water resources rising in the United States; and requesting sufficient appropriations so that detailed planning and design work can begin immediately; providing for a reservation of power for Montana.	266, 503, 521, 533, 594.
2	Introduced by Beley, Dussault, Balgord, O'Neill, Reardon, LaCombe, Newman, Durkee, Rostad: A Joint Memorial of the Senate and House of Representatives of the Thirty-seventh Legislative Session of the State of Montana to the Honorable John F. Kennedy, President of the United States of America, to the Honorable J. Edward Day, Postmaster General of the United States of America, to United States Senators of Montana, the Honorable Michael J. Mansfield and the Honorable Lee Metcalf, to the Congressmen of Montana, the Honorable Arnold H. Olsen and the Honorable James Battin, to the Interstate Commerce Commission, and the United States Civil Aeronautics Board; requesting the maintenance of railway service for first-class mail and air mail service at air mail rates as the most efficient and satisfactory combination for the State of Montana, and requesting opposition to legis-	

No.	Title of Bill	Page
	lation diverting first-class mail for railway service at the expense of taxpayers.	176, 503, 525, 534, 594.
3	Introduced by Thiessen, Mahoney, Durkee, Cumming, Dussault, Ullom: A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold Olsen and James Battin, Congressmen from the State of Montana, endorsing U. S. Senate Bill No. 162 creating a commission on noxious and obscene matters and materials and urging support of said bill by the Montana congressional delegation.	222, 515, 546.
4	Introduced by Rieder, DeWolfe, Thiessen, Morrow, Michels, McKenna (Fergus), Brenner, Grieve, Anderson, Shaw, Edwards, Sagunsky, Groff, Harkin: A Joint Memorial of the Senate and House of Representatives of the State of Montana to United States Senators Mike J. Mansfield and Lee Metcalf and to United States Representatives Arnold H. Olsen and James F. Battin, members of the Montana congressional delegation, urging the President, the Senate committee on finance and House committee on ways and means to direct the United States tariff commission to review and re-evaluate import quotas and import duties on meats and meat products to the end that friendly relations with other countries be maintained without damaging the domestic livestock-producing industry of the United States.	397, 398, 503, 525, 535, 594.
SENATE JOINT RESOLUTIONS IN HOUSE		
1	Introduced by Durkee, Mackay: A Joint Resolution of the Senate and of the House of Representatives of the State of Montana requesting the state controller to call for bids to furnish the printing of legislative bills for the Thirty-eighth Legislative Assembly by an offset process with two printings, and in the absence of a responsible bid, to call for bids for one printing of legislative bills by the letterpress process as before.	408, 411, 543, 565.
4	Introduced by Committee on Rules: A Joint Resolution of the Senate and House of Representatives amending joint rules 11, 13 and 14.	134, 167, 304, 460, 466, 496.
5	Introduced by the Committee on Employment: A Joint Resolution declaring an emergency to exist up to and including March 2, 1961, and providing for the compensation and employment of additional help in addition to the employees enumerated in section 43-212. of the Revised Codes of Montana, of 1947, for the Senate during the Thir-	

No.	Title of Bill	Page
	ty-seventh Legislative Assembly of the State of Montana pursuant to the authority granted by section 43-313, of the Revised Codes of Montana, of 1947, and providing that such additional help and said emergency shall cease not later than March 2, 1961.	183, 185.
8	Introduced by Committee on Rules: A Joint Resolution of the Senate and House of Representatives amending joint rule 20.	305, 688.
9	Introduced by Manning: A Joint Resolution of the Senate and the House of Representatives of the Thirty-seventh Legislative Assembly of the State of Montana, requesting and directing the state board of equalization of the State of Montana to be prepared with proper supplies and wiring panels for its electronic business machines to submit each day to the Thirty-eighth Legislative Assembly of the State of Montana during the period of introduction of bills of said Assembly a continuing cumulative master sheet stencil, listing upon introduction, by number, each Senate and House bill that proposes amendments to, and repeals of, existing statutes and session laws, and indicating in numerical order opposite each such listed bill the pertaining section or sections of the Revised Codes of Montana, 1947, and all amendments and repeals thereto; directing the secretary of the senate to transmit a copy of this resolution to the appointed members of the Montana state board of equalization prior to the adjournment sine die of the Thirty-seventh Legislative Assembly.	657, 658, 660, 664, 665, 674.

HOUSE JOURNAL

of the

Thirty-seventh Legislative Assembly

of the

State of Montana

FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 2, 1961

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Thirty-seventh Legislative Assembly of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the assembly on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Rev. I. C. Gronneberg of Helena, Montana, Temporary Chaplain; Dr. J. I. Westphal of Hardin, Montana, Temporary Sergeant-at-Arms; Mr. George T. Howard of Missoula, Montana, Temporary Chief Clerk; and Rosemary S. Acher of Helena, Montana, Temporary Journal Clerk.

Posting of the Colors by Lt. William Liston and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the assembly, followed.

Invocation was given by the Reverend I. C. Gronneberg.

The Chief Clerk called the roll, all members being present, and each presented his certificate of election to the Secretary of State.

Secretary of State Frank Murray introduced the Honorable Hugh Adair, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon, the following members having presented their certificates of election, subscribed to the foregoing oath:

Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hawks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright.

The Secretary of State called for nominations for Speaker of the House of Representatives. Anderson of Yellowstone nominated Clyde L. Hawks of Big Horn County. Daniels of Powell County nominated John Emmons of Deer Lodge County. Nominations were closed and the following votes were cast.

For Hawks: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstein, Goan, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Thompson, Weeks, Wright. Total 54.

For Emmons: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Eskildsen, Gustafson, Hanks, Harper, Hawks, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Regan, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 40.

Anderson of Yellowstone County and Daniels of Powell County escorted the newly elected Speaker, Clyde L. Hawks, to the rostrum, where he was formally introduced by the Secretary of State, and presented with the Speaker's gavel.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson of Yellowstone that the following 63 Rules be adopted as the Rules and Order of Business governing the Proceedings of the 37th Legislative Session:

RULES OF THE HOUSE

Thirty-seventh Legislative Assembly

RULE 1.

Attendance and Decorum.

1. Every member shall be present in the hall of the House during the sittings, unless necessarily prevented or excused. He shall vote on each question put unless he has a direct personal or pecuniary interest in the event of such question, except as provided in Rule 26. Loud talking or smoking shall be discontinued upon request of the Speaker.

2. The hour for the meeting of the House shall be Ten o'clock a. m., unless by the House otherwise directed.

RULE 2.

Duties of the Speaker.

1. The Speaker shall take the chair on every legislative day pre-

cisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and after prayer by the Chaplain and upon roll call by the Clerk, and the presence of a quorum, the Journal of the preceding day shall be read, or a report given thereon by the Committee on Rules and Journal, after which the Speaker shall proceed with the regular order of business.

2. He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by rule or law, of the hall of the House, and of the corridors and passages.

4. He shall sign all acts, addresses and resolutions in the presence of the House, and all writs, warrants and subpoenas of, or issued by order of the House, and shall decide all questions of order subject to an appeal by any member, when such appeal is supported by two other members, upon which appeal no member shall speak more than once unless by permission of the House.

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to-wit: "as many as are in favor of (as the question may be) vote 'Aye,'" and after the affirmative vote is expressed, "as many as are opposed vote 'No'." If he doubts or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question to tell the members in affirmative and negative, which being reported, he shall rise and state the decision.

6. He shall not be required to vote in ordinary legislative proceedings, except when his vote would be decisive, or in a yea and nay vote, or where the House is engaged in voting by ballot.

RULE 3.

Speaker Pro-Tem.

The Speaker Pro-Tem shall perform all the duties of the Speaker in the absence of that officer, and on such other occasions as the Speaker may request.

RULE 4.

Duties of the Clerk.

1. The Chief Clerk shall cause to be kept and recorded a correct Journal of the proceedings of the House and shall perform such other duties as may be assigned to him. He shall superintend the engrossing, enrolling and transcribing and copying of bills, resolutions, etc.; shall permit no records or papers belonging to the House to be taken out of his custody otherwise than in the regular course of business; shall report any missing papers to the Speaker; and shall have general supervision of the entire Clerical Force of the House, under the direction of the Speaker.

2. Clerk May Correct Certain Errors. The Chief Clerk and his Engrossing Clerks, in all proper cases, shall correct any mere clerical errors in any House Bill, Memorial or Resolution, such as errors in orthography, or in the use of one word for another, as "affect" for "effect," "previous" for "previously," and the like; and also all mistakes in numbering the sections and reference thereto, whether such mistakes occur in the original bill or are caused by amendments made thereto; provided such corrections shall not be made after engrossment, except by an order of the House; and provided further, that all such corrections shall be reported to the Speaker, but no corrections, other than such as are authorized by this rule, shall be

made at any time by the Clerk or his Assistants, unless upon order of the House.

RULE 5.

Duties of the Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to attend the House during its Sessions, to maintain order under the direction of the Speaker and pending the election of the Speaker or Speaker Pro-Tempore under the direction of the Clerk, execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker, and shall have general supervision of the entire administrative force of the House.

RULE 6.

Chaplain.

The Chaplain shall attend at the commencement of each day's sittings of the House, and open the same with prayer.

RULE 7.

Duties of the Committee on Rules and Journal.

The Committee on Rules and Journal shall examine each day the Journal of the proceedings of the House as prepared by the Clerk; shall make corrections therein when the same is in error; and shall report immediately after roll call every day that the House is in Session, which report may be in lieu of the reading of the Journal.

The Committee shall also, upon proper referral to it, consider all questions relating to rules, joint rules and order of business, and report thereon to the membership of the House on the same or the next legislative day which report shall be adopted or rejected by a majority vote.

Rule 58 shall govern the manner of amending or suspending a rule of the House.

RULE 8.

Questions of Privilege.

Questions of Privilege shall be: First, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; Second, the rights, reputation and conduct of the members individually in their respective capacity only; and shall have precedence of all other questions except motions to fix the time to which the House shall adjourn, to adjourn and for a recess.

RULE 9.

Committees.

1. The Committee on Rules and Journal shall consist of the Speaker and four members to be by him appointed.

The Speaker shall appoint the following standing committees, to consist of such number of members, not exceeding fifteen, except appropriations committee, as he may elect, unless otherwise specially ordered by the House, viz.:

1. Affairs of Cities
2. Agriculture and Irrigation
3. Appropriations
4. Bills
5. Business and Industry
6. Constitution, Elections and Federal Relations
7. Education

8. Fish and Game
9. Highways.
10. Judiciary
11. Labor and Compensation
12. Legislative Administration
13. Livestock and Ranges
14. Public Health, Welfare and Safety
15. Rules and Journal
16. State Administration
17. Townships and Counties
18. Ways and Means

2. He shall also appoint all Select Committees, unless otherwise ordered by the House.

3. The first named member of each committee shall be the Chairman; and in his absence, the next named member, and so on, as often as the case may happen.

RULE 10.

Duties of the Committee on Legislative Administration

1. It shall be the duty of the Committee on Legislative Administration to select and recommend for appointment or dismissal all House employees and when their report shall be adopted by the House, the selections recommended therein shall be final. They shall examine the various applicants for the several positions to be filled.

2. They shall also examine applicants for positions as committee clerks, as to their efficiency.

3. All requests for the appointment of clerks by the chairman of committees shall be made through the committee on Legislative Administration and not otherwise. All clerks of committees shall be under the supervision of the Chief Clerk and when not occupied with the duties of the committee shall work under his direction.

4. The Committee on Legislative Administration shall also consider all matters concerned with seating, mileage and per diem, and entertainment.

RULE 11.

Reports of Standing and Select Committees.

1. All bills, petitions, memorials or resolutions reported from a committee, shall be accompanied by reports in writing, which shall be entered in the Journal. Whenever a committee report on any bill, petition, memorial or resolution, carries an amendment, said amendment shall accompany said report in triplicate.

2. In case the members of any committee required or entitled to report on any subject referred to them, cannot agree on a report, the majority and minority of such committee present at the meeting may each make a separate report; and any member dissenting in whole or in part from the reasonings or conclusions of both the majority and minority may also present to the House a statement of his reasonings and conclusions, and all reports, if decorous in language and respectful to the House, shall be entered at length on the Journal, unless otherwise ordered by the House.

3. All Standing Committees of the House shall report their action on all bills or matters referred to them within seven days after reference, unless at the request of the Committee, and on good cause shown, further time be granted by the House.

RULE 12.

Substitutes and Amendments.

1. No standing or select committee, or member thereof, shall report

any "substitute" or "amendment" for any bill or bills, or resolution, referred to such committee, which substitute or amendment relates to a different subject, or is intended to accomplish a different purpose than that of the original bill or resolution for which it is reported, or which, if adopted or passed would require a title essentially different from the title of the original bill or resolution; and any substitute bill or resolution so reported, shall be rejected whenever the House is advised that the same is in violation of this rule. Section 19, Article 5 of the Constitution of Montana.

2. Any substitute bill or resolution so reported shall be read a first and second time, referred to the Bills Committee, and when reported correctly printed shall be placed on general orders.

3. Section 1 of this rule shall not be suspended.

RULE 13.

When Certain Committees May Report.

The following named Committees shall have leave to report at any time, except when questions are being called or a call of the House is being had, on matters herein stated: The Committee on Rules and Journal; the Committee on Bills, on Enrolled Bills; the Committee on Ways and Means, on Bills for raising revenue; the Appropriations Committee, on general appropriation bills; the Committee on Constitution, Elections and Federal Relations on the rights of a member to his seat.

RULE 14.

Privileged Reports.

Reports from the Committee on Bills may be made at any time and shall stand approved without formal action.

RULE 15.

Conference Reports.

Reports of Committees of Conference may be presented and received on any order of business and shall be in order at any time except when a vote is being taken or a member has the floor, and there shall accompany every such report a detailed statement sufficiently explicit to inform the House what effect such amendment or proposition will have upon the measures to which they relate, which statement shall be entered upon the Journal.

RULE 16.

Absence of Committees.

No committee members shall absent themselves by reason of their appointment during the sitting of the House, without special leave, except members of conference committees and the Bills Committee.

RULE 17.

Committee Clerks.

The chairman of each committee shall appoint its clerk or clerks, subject to the approval of the majority of the committee, if such clerk or clerks are deemed necessary, who shall be paid at the public expense, the House having first provided for such clerk or clerks on recommendation of the Committee on Legislative Administration.

RULE 18.

Committee of the Whole House.

1. The House may resolve itself into a Committee of the Whole by a

majority of a quorum voting on a motion of a member for that purpose, and may by motion limit debate on any subject to be considered by the committee.

2. In all cases, in forming a Committee of the Whole House, the Speaker shall leave his chair, after appointing a chairman to preside, who shall, in case of disturbance or disorderly conduct in the galleries or lobbies, have the power to cause them to be cleared.

3. Whenever the Committee of the Whole House finds itself without a quorum, the committee shall rise and the chairman shall so report, and thereupon there shall be a call of the House and if on such call a quorum shall appear, the committee shall thereupon resume its sitting without further order of the House.

4. All bills and memorials requiring the signature of the Governor shall be considered in the Committee of the Whole before being taken up and considered by the House, and a point of order under this rule shall be good at any time before any such bill or memorial shall have passed the House.

5. In Committee of the Whole House business on the calendar shall be taken up in regular order, except bills for raising revenue and general appropriation bills, which shall have precedence.

6. When general debate is closed by order of the House, any member shall be allowed five minutes to explain any amendment he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor and against any amendment that may be offered to an amendment; and neither an amendment, nor an amendment to an amendment, shall be withdrawn by the mover thereof, unless by unanimous consent of the committee. The five-minute rule being applied shall not preclude further amendment to be decided without debate.

7. A motion to recommend the striking out of the enacting clause of a bill shall have precedence over a motion to amend; and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House. But before the report of the committee is acted upon by the House, it is in order to entertain a motion to refer the bill to any committee, with or without instructions, and when the same is again reported to the House, it shall be referred to the Committee of the Whole without debate.

8. Every bill in Committee of the Whole shall be read and considered by sections. The body of a bill shall not be defaced or interlined in any way, but all amendments agreed to by the committee shall be included in the report of the committee, noting the section and line to which such amendment applies.

9. The rules of proceedings in the House shall be observed in Committee of the Whole House, so far as may be applicable, except that a member may speak more than twice on the same subject, and a call for the ayes and nays or for the previous question or motion to lay on the table, cannot be made.

RULE 19.

After business upon which the House resolved itself into Committee of the Whole shall be completed, the committee shall rise and report. The report of the Committee of the Whole shall contain a correct account of the action had on each particular measure. When more than one bill is considered in Committee of the Whole and the report of the Committee of the Whole is adopted is one report, it shall be in order on that or the succeeding day upon which the House shall be in session for any member who

voted the prevailing side to move to reconsider the action on any measure separately. When the report of the Committee of the Whole on any bill is rejected, the bill shall remain on general orders until disposed of by the House.

RULE 20.

Action of House Upon Report of Committee of the Whole.

The Speaker upon resuming the chair shall receive the report of the chairman of the Committee of the Whole and the House shall take action thereon.

RULE 21.

Order of Business.

1. Communications and Petitions.
2. Reports of Select Committees.
3. Reports of Standing Committees.
4. Consideration of Messages from Governor and Senate.
5. Motions and Resolutions.
6. Introduction of Bills and Memorials and First and Second Reading of Same.
7. Third Reading of Senate Bills.
- Report of Committee of the Whole
8. Third Reading of House Bills.
9. Consideration of General Orders.
10. Unfinished Business.

Special Orders of the Day, or to change the Order of Business, requires a two-thirds vote.

RULE 22.

Debate.

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address the Chair in the following form: "Mr. Speaker," and being recognized may address the House from any place on the floor, or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personalities.

2. When two or more members arise at the same time the Speaker shall name the member who is first to speak; and no member shall occupy more than one-half hour in debate, on any question in the House or in committee as further provided in this rule.

3. Upon committee reports the member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one-half hour to close, notwithstanding he may have used one-half hour in opening.

4. If any member transgresses the rules of the House, in speaking or otherwise, the Speaker shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the House shall, if appealed to, decide on the case, without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case require, he shall be liable to censure or such other punishment as the House may deem proper.

5. If a member is called to order, for words spoken in debate, the member calling him to order shall indicate the words excepted to and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

6. No member shall speak more than once on the same question without leave of the House, unless he be the mover, proposer or introducer of the matter pending; in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

RULE 23.

Calls of the Roll and of the House.

1. Upon every roll call the names of the members shall be taken or called alphabetically by surname. When two or more members have the same surname, initial and/or given first name of such member shall be added.

2. Pairs shall be announced by the Clerk after the completion of the roll call, from a written list furnished him, and signed by the members making the statement to him.

3. A majority of the House shall constitute a quorum to do business. In the absence of a quorum, ten members, including the Speaker, if there be one, shall be authorized to compel the attendance of the absent members; or, if a quorum be present, a call of the House shall be ordered upon the demand of 15 members, and pending such call all other business shall be suspended. In all calls of the House, the pages shall announce the call through the corridors of the House; roll call shall be taken by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made, shall be sent for and arrested wherever they shall be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what conditions they shall be discharged.

4. When, on the call of the House, there are members declining to vote, their names shall be called and entered upon the Journal as present. Members who voluntarily appear, unless the House shall otherwise direct, shall be admitted immediately to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present. The call may be dispensed with upon progress made, by a majority vote.

RULE 24.

Motions, Their Precedence, Etc.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing upon demand of any member, and shall be entered on the Journal with the name of the member making it unless it is defeated or withdrawn the same day.

2. When a motion has been made, the Speaker shall state it, or, if it be in writing, cause it to be read aloud by the Clerk before being debated, and it then shall be in possession of the House, but may be withdrawn at any time, before a decision or an amendment.

3. When a question is under debate, no motion shall be entertained but to:

Fix the day to which the House shall adjourn.

To adjourn.

To take a recess.

To lay on the table.

For the previous question.

To postpone to a day certain.

To refer or amend.

To postpone indefinitely.

These several motions shall have precedence in the foregoing order; and no motion, being decided, shall be again allowed on the same day at the same stage of the question.

4. A motion to fix the day to which the House shall adjourn, a motion to adjourn and a motion to take a recess, shall always be in order, except when the House is voting or when the last business transacted was a motion to fix the day to which the House should adjourn, a motion to

adjourn or a motion to take a recess; but this rule shall not authorize any member to make any such motion when another member has the floor.

The hour to which the House adjourns shall be entered in the Journal.

5. On motion of any member before the question is put, a question shall be divided if it includes proposition so distinct in substance that one thing taken away a substantive proposition shall remain.

6. A motion to strike out and insert is indivisible, but a motion to strike out being lost, shall neither preclude amendment nor a motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

7. Whenever a motion to reconsider shall be laid on the table it shall require a two-thirds majority to take from the table.

RULE 25.

Motions Decided Without Debate.

All incidental questions of Order, arising after an undebatable motion is made, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

RULE 26.

Members to Vote, Unless Excused.

Every member, present when a question is put, shall vote, unless the House shall, for special cause, excuse him.

RULE 27.

Tie Vote.

In all cases where the House shall be equally divided, the question shall be lost.

RULE 28.

Reconsideration.

1. When a motion has been made and carried or lost, it shall be in order for any member who voted with the prevailing side, on the same or succeeding day in which the House shall be in session to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report, a motion to fix the day to which the House shall adjourn, to adjourn or take a recess, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any member may call it up for consideration; provided that such motion, if made during the last six days of the session, shall be disposed of when made.

2. No bill, petition, memorial or resolution referred to a committee, or reported therefrom for printing and recommitment, shall be brought back into the House on a motion to reconsider.

3. No bill, petition, memorial or resolution shall be considered by the House unless in the possession of the House or in a committee thereof. In the event that a bill, petition, memorial or resolution is returned to the House from the Senate, a motion to reconsider the action of the House taken on such bill, petition, memorial or resolution may be made by any member who voted on the prevailing side, on the same or succeeding day in which such bill, petition, memorial or resolution is returned to the House.

RULE 29.

Possession of Senate Bills.

Whenever the House shall fail to concur in any Senate Bill the Chief Clerk shall hold the same through the succeeding Legislative day in which the House shall be in session, before returning the same to the Senate.

RULE 30.

Previous Question.

1. A motion for the previous question shall be in order upon the main question, the immediately pending motion or upon an entire group of adhering motions under consideration, and may include a bill to its final passage or rejection, and may be passed by a majority vote if a quorum be present. The effect of the previous question shall be to cut off all debate and to bring the House to a direct vote upon the question or questions upon which it has been ordered, provided that when the previous question is ordered on any proposition upon which there has been no debate, it shall be in order to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to the proponents and one-half to the opponents of such proposition.

While the previous question is in effect, it shall be in order for the Speaker to entertain or to submit a motion to commit, with or without instructions, to a standing or select committee.

2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

3. After a motion is made for the previous question, all incidental questions of order arising therefrom and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 31.

Amendments.

When any main question is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute to which one amendment may be offered, but which shall not be voted on until the original matter is perfected; but neither the substitute nor amendment to the substitute may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution or corrections in the history thereof shall be in order immediately preceding the third reading, and shall be decided without debate.

RULE 32.

Amendments of the Senate.

Any amendment of the Senate to any House bill shall be considered in the Committee of the Whole House.

RULE 33.

Endorsement of Bills.

All bills and resolutions offered in the House by any member or committee shall be endorsed by the member or committee offering the same.

RULE 34.

Form of Bills.

Every bill, except appropriation bills and bills for the codification and revision of laws, shall contain but one subject which shall be clearly expressed in the title; and no bill shall be altered or amended so as to change its original purpose. All bills shall be numbered at the head and foot of Page One thereof. All bills which are amendatory in their nature shall have all new matter added thereto set out in italics and where any matter has been deleted there shall be shown at the place from which the deleted matter has been taken the following: "(matter deleted)."

Section 23, Article 5.—The enacting clause of every bill shall be as follows: "Be it enacted by the Legislative Assembly of the State of Montana."

Section 30, Article 5.—All bills upon introduction shall be presented to the Clerk in triplicate. The lines in the body of the printed bill shall be numbered consecutively by sections.

This rule shall not be suspended.

RULE 35.

Reading.

1. Every bill shall receive three several readings previous to its passage, but no bill shall receive its second and third readings on the same day, except on the last day of the Session. No bill shall be committed or amended until it shall have been read twice, and no bill shall receive its third reading that has not been referred to a committee of the House or a joint committee of the Senate and House. All bills, memorials or joint resolutions on their first and second readings, unless otherwise provided in these rules (Rule 42 provides that Appropriation Bills shall be read at length on third reading and on second reading shall be read by section except that the section containing the appropriation shall be read at length), shall be read by their titles; the third reading of all bills shall be in full. This rule shall not be suspended.

Except that upon notice duly given to the House at least one day prior to the third reading of any bill, such third reading may be dispensed with by a two-thirds vote of the members present.

2. On the third reading of a bill no amendment, except to fill blanks, shall be received except by the unanimous consent of the members.

3. Upon the third reading of a House bill the question shall be thus stated: "This bill having been read three several times the question is, 'Shall the bill pass?'" Upon the third reading of a Senate bill, the question shall be stated thus: "This bill having been read three several times the question is, 'Shall the bill be concurred in?'"

4. A motion to lay upon the table shall be in order on the second and third readings of a bill.

RULE 36.

Introduction of Bills.

1. No bill for the appropriation of money, except for expenses of State Government, shall be introduced within ten days of the close of the session, except by unanimous consent. This rule shall not be suspended. Section 21, Article 5.

2. No bills may be introduced after the 20th day, except revenue bills may be introduced up to and including the 25th day, and except substitute bills for bills pending and appropriation bills.

3. No bill shall be introduced or re-introduced in the House or considered by the House after a previous bill containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House.

RULE 37.

Printing of House Bills.

All House Bills after the second reading shall be referred to the proper committee and if a majority of such committee recommend the passage of the bill and such report is adopted by the House, one thousand copies thereof as reported shall be printed. A bill may also be ordered

printed by an affirmative vote of one-third of the members of the House present. All bills referred to the Bills Committee for printing must be reported within three days, unless further time is granted by the House. When House Bills are ordered printed by less than a majority vote, such bills shall not be placed on General Orders except upon motion carried by two-thirds of the members present. Section 22, Article 5.

RULE 38.

Consideration of Bills.

1. No bill shall be considered in the House until it has first been considered by the committee of the House and printed for the use of the members. This rule shall not be suspended.

2. One day must elapse after the printing of any bill and the receipt of same by the House before it can be considered in Committee of the Whole. Section 2 of this rule shall not be effective after the forty-eighth legislative day.

RULE 39.

Reference of Bills, Etc.

On the second reading, every bill or measure requiring three readings shall be referred to an appropriate committee by the Speaker, unless the House, by two-thirds vote, makes a different order in relation thereto. This rule shall apply as well to bills and memorials originating in the Senate as those originating in the House. But bills reported by joint committees shall, if accepted by the House, at once go to the Bills Committee for printing. House Bills reported with amendments shall have such amendments incorporated in the bills before printing.

RULE 40.

Title of Bill to Be Recited.

Every committee in reporting on any bill or memorial shall recite at length in report the title of such bill or memorial, as well as the number thereof; provided, however, that the Committee on Bills shall be required to report the bill by number only.

RULE 41.

Reading of Memorials.

If the House shall dispense with the printing of any memorial, such memorial shall be read at length once before its final passage and this rule shall not be suspended.

RULE 42.

Reading of Appropriation Bills.

The second reading of bills appropriating money shall be by section only, except that the section containing the appropriation shall be read at length. The third reading of such bills shall be at length. A suspension of this rule shall not be made.

RULE 43.

General Orders.

House and Senate measures reported by committees and accepted by the House shall, when correctly printed, constitute the General Orders. The business of General Orders shall be considered in the Committee of the Whole.

Bills in the General Orders shall be arranged therein by the Clerk in the order in which they are reported or referred thereto, as aforesaid, and shall be considered in the same order unless the House shall otherwise direct.

RULE 44.

Engrossing of Bills.

Every House bill when reported favorably by the Committee of the Whole and upon adoption of the report shall be engrossed under direction of the Committee on Bills and when reported correctly engrossed by such committee shall be placed on the calendar for third reading.

The Engrossing Clerk shall make, file and retain a correct copy of every bill engrossed.

All amendments made or recommended by the Committee of the Whole shall be made a part of the engrossed bill provided that when a House bill is well written without interlineation or erasure, and no amendments thereto have been recommended by the Committee of the Whole, it shall not be necessary for the same to be retyped.

RULE 45.

Recommitment Previous to Passage.

A bill may be recommitted at any time previous to its passage.

RULE 46.

Enrollment of Bills.

The Committee on Bills shall not report any bill as correctly enrolled that has any words interlined therein or when any words have been erased therefrom except that when the title of any bill shall begin with the words, "A Bill for an Act, etc.," the Committee on Bills shall omit on the enrolled bill the words, "A Bill for an Act Entitled," nor until the author of the bill, if then in attendance, or in case of a committee bill the chairman of the committee or a member of the committee designated by the chairman, if such chairman or member is in attendance, have been given an opportunity to examine the same in the presence of the chairman or some other member of the Bills Committee or its clerk.

RULE 47.

Transmission of Bills to Senate.

Each bill which passes its third reading shall be certified by the Clerk and by him transmitted to the Senate. The day of transmission shall be entered on the Bill Books of the Clerk.

RULE 48.

Prohibiting "Riders."

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the House. This rule shall not be suspended.

RULE 49.

Roll Call.

A roll call shall be ordered upon the request of ten members and the Ayes and Noes shall be entered upon the Journal at the request of two members.

This rule shall not be suspended.

RULE 50.

Presentation of Petitions, Etc.

Communications and petitions shall be addressed to the Speaker and shall be read by the Clerk and when introduced by a member shall bear the name of the member introducing same.

No arguments for or against any proposed legislation, unless properly signed by person or persons responsible for same, shall be placed upon the desks of the members or circulated within the Chamber.

RULE 51.

Introduction of Resolutions.

Any member offering a resolution in the House may read the same in his place before sending it to the Chair. It shall then be read by the Clerk, unless otherwise ordered by the House. All resolutions which contemplate the expenditure of money by the State and not requiring the signature of the President of the Senate and the Speaker of the House, shall be read in full three several times, and roll call shall be had thereon.

RULE 52.

Reading of Papers.

When the reading of a paper by the Clerk other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.

RULE 53.

Hall of the House.

The Hall of the House shall be used only for the legislative business of the House, and for the caucus meetings of its members, except upon occasions where the House by resolution agrees to take part in any ceremony to be observed therein; and the Speaker shall not entertain a motion for the suspension of this rule.

RULE 54.

Who May Be Admitted to the Floor.

Persons of the following classes may be admitted to the floor of the House during the sessions thereof, viz.: All state and legislative officers, members of the late state constitutional convention, members of the Senate, ex-members of the Legislative Assembly, members of Congress, judges of the courts, all editors of newspapers within the state, reporters and correspondents of the press having credentials as such, contestants for seats in the House and members of the immediate family of House members; and no one shall be permitted to lobby on the floor of the House at any time.

RULE 55.

Withdrawal of Papers.

No memorial or other paper presented to the House shall be withdrawn from its files without leave, and if withdrawn therefrom, certified copies thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim the Clerk is authorized to transmit to the officer charged with the settlement thereof the paper on file in his office relating to such claim, or may loan temporarily to any officer of the Executive departments any papers on file in his office relating to any matter pending before such officer, taking receipt therefor.

RULE 56.

Adjournment.

The House shall not adjourn to any other place than the hall of the House nor for more than three days without the consent of the Senate. This rule shall not be suspended.

RULE 57.

Communications from the Executive Departments.

Estimates of appropriations and all other communications from the

Executive departments intended for the consideration of any committee of the House, shall be addressed to the Speaker and by him submitted to the House for reference.

RULE 58.

Suspending and Changing Rules.

Every motion to amend or suspend a rule of the House shall be referred to the Committee on Rules and Journal which Committee shall report thereon upon the same day or the next legislative day. Reports of the Committee on Rules and Journal shall be adopted by a majority vote. Unless recommended by the Committee on Rules and Journal, no rule shall be changed or suspended or any rule adopted except by a two-thirds vote of the House, a quorum being present.

Any rule herein, excepting rules based upon constitutional or statutory provisions, may be suspended for a specified purpose by unanimous consent.

RULE 59

Authority on Parliamentary Practice

1. The rules of Parliamentary Practice comprised in Roberts' Rules of Order shall govern the House in all cases in which they are applicable, and in which they are not inconsistent with these Rules and Orders of the House and the Joint Rules and Orders of the Senate and the House.

2. On questions of orthography, Webster's New International Dictionary shall be taken as the standard.

RULE 60

Executive Session

On motion made and seconded to close the doors of the House on the discussion of any business which may, in the opinion of the House, require secrecy, the Speaker shall require all persons, except the members and the Chief Clerk, to withdraw and during the discussion of said motion the doors shall remain closed and every member and officer of the House shall keep secret all such matters, proceedings and things whereof secrecy shall be enjoined by order of the House.

RULE 61

Committee Bills

All bills, joint resolutions or joint memorials, designated as committee bills, shall have the unanimous consent of the committee introducing the same before such bills, joint resolutions, or joint memorials may be received by the House.

RULE 62

Authority to Use Electrical Voting System

Unless otherwise specifically set forth in existing House rules, any vote or roll call may be taken by means of the Electrical Voting System, which shall be under the control of the Speaker of the House.

RULE 63

Procedure for Clerk and Speaker in Using Electrical Voting System

When using Electrical Voting System the following procedure shall be in order:

Speaker: "House Bill No. (Or Senate Bill No.) having been read three several times, the question is, shall the bill pass the House ("as amended," if amended, or "shall be concurred in" if a Senate Bill.) Speaker rings bell. "Those in favor vote yea and those opposed vote no." Members cast their votes. Speaker then asks "Has every member voted?" (Reasonable pause) "Does any member wish to change his vote?" (Reasonable pause) "The Clerk will now record the vote."

Motion carried.

It was moved by Anderson (Yellowstone) that the following Republican nominees be elected as officers and attaches of the House of Representatives of the Thirty-seventh Legislative Assembly:

Speaker Pro-Tem.....	Tom Haines
Majority Floor Leader.....	Jerome Anderson
Chief Clerk.....	George T. Howard
Sergeant-at-Arms.....	Dr. J. I. Westphal
Chaplain.....	Rev. I. C. Gronneberg

It was moved by Daniels that the following Democratic nominees be elected as officers and attaches of the House of Representatives:

Speaker Pro-Tem.....	Lloyd Barnard
Chief Clerk.....	Allen Donohue
Sergeant-at-Arms.....	Tom Hackley
Chaplain.....	Rev. Oliver Jones

Substitute motion was made by Anderson (Yellowstone) that the Chief Clerk cast 54 votes for the Republican nominees and 40 votes for the Democratic nominees. Substitute motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a committee of five to notify His Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to deliver, and also to learn the time set for the message.

Motion carried.

Thereupon, the Speaker appointed the following committee to notify the Governor: Nelstead, Chairman, Nichols, Vice Chairman, Broeder, Emmons, Regan.

It was moved by Anderson (Yellowstone) and carried, that the Speaker appoint a committee of five to notify the Honorable Senate that the House is now organized and ready to transact business. The following committee was appointed: Haines, Chairman, Kvaalen, Reinecke, Jensen (Mineral), Cerovski.

Motion was made by Anderson (Yellowstone) that the Speaker and the Majority and Minority Floor Leaders be ex-officio members of all committees. Motion carried.

Motion was made by Anderson (Yellowstone), and carried, that in order for the Committees just appointed to visit the Governor and the Senate, the House recess subject to the call of the Chair. House recessed.

House resumed. Mr. Speaker in the Chair.

A committee from the Senate consisting of Senators Dussault, Goodwin and Sagunsky, was admitted and informed the House that the Senate was in session and ready for business, and sent greetings and best wishes.

The Committee appointed to notify the Governor that the House was organized, reported that it had so notified the Governor, and that he had informed the Committee he would deliver his message to a joint assembly on Tuesday, January 3, 1961 at 1 o'clock p.m. The Governor sent felicitations to the House, and good will for a successful session.

The committee appointed to notify the Senate that the House was organized, reported that the message had been conveyed, and that the Senate wished to assure their complete cooperation.

The above committees of the House, having fulfilled their tasks, were discharged by the Speaker.

Motion was made by Anderson (Yellowstone) that Mineo Orito, an exchange student from Tokyo, Japan, be named an Honorary Page to serve without compensation during the 37th Legislative Assembly. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to the Committee on Appropriations, when appointed:

House Bill No. 1, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the Legislative Assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Thirty-seventh Legislative Assembly of the State of Montana."

House Bill No. 2, introduced by Nichols: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-seventh Legislative Assembly of the State of Montana."

The Speaker made the following committee appointments:

Affairs of Cities: Nelstead, Chairman, Jensen (Lake), Vice-Chairman, Lucas, Hall, Schye, Hibbard, Spilde, Swanz, Beam, Bradford, Abel, Sullivan (Deer Lodge), Mernin, Lewis, Lombardi.

Agriculture & Irrigation: Leuthold, Chairman, Edwards, Vice-Chairman, Nichols, Higham, Wright, Jensen (Lake), Baldwin, Asbjornson, Burrell, Hanks, Eskildsen, Bardanouve, Twedt, Stranahan, Brenner.

Appropriations: Nichols, Chairman, Haines, Vice-Chairman, Hazelbaker, Goan, Thompson, Hibbard, Mathers, Adams, Jenkins, Asbjornson, Rygg, Barnard, McOmber, Bardanouve, Regan, Sullivan (Silver Bow), Laas.

Bills: Reed, Chairman, Murray, Vice-Chairman, Hilling, Judge, Harper.

Business & Industry: Loman, Chairman, Dykstra, Vice-Chairman, Lundgren, Beam, Blewett, Jenkins, Page, Hall, Johnson, Swanz, Regan, Sullivan (Silver Bow), Bashor, Bush, Sullivan (Deer Lodge).

Constitution, Elections & Federal Relations: Haines, Chairman, Loman, Vice-Chairman, Nelstead, Page, Nichols, Etchart, Thompson, Rygg, Hilling, Sheldon, Abel, Picard, Schwinden, Conklin, Laas.

Education: Kvaalen, Chairman, Reed, Vice-Chairman, Higham, Kolar, Wright, Leuthold, Rosell, Lundgren, Seymour, Aasheim, Raundal, Barnard, Gustafson, Stimatz, Regan.

Fish and Game: Pierce, Chairman, Reinecke, Vice-Chairman, Seymour, Jenkins, Spilde, Burrell, Anderson (Madison), Smith, Mathers, Abel, Picard, Moudree, Teigen, Coulter, Bush.

Highways: Broeder, Chairman, Bentz, Vice-Chairman, Leuthold, Reinecke, Hall, Lundgren, Pierce, Schye, Seymour, McOmber, Schwinden, Spahr, Laas, Judge, Lewis.

Judiciary: Haughey, Chairman, Blewett, Vice-Chairman, Dykstra, Bentz, Keller, Murray, Lucas, Jensen (Lake), Lord, Cerovski, Bradford, Conklin, Stimatz, Jensen (Mineral), Bush.

STATE OF MONTANA

MONTANA LEGISLATIVE COUNCIL
LIBRARY

Labor & Compensation: Bentz, Chairman, Kolar, Vice-Chairman, Haughey, Thompson, Weeks, Rygg, Blewett, Spilde, Goan, Emmons, Jensen (Mineral), Shelden, Harper, Lombardi, Mernin.

Legislative Administration: Hazelbaker, Chairman, Dykstra, Vice-Chairman, Broeder, Pierce, Emmons.

Livestock & Ranges: Higham, Chairman, Stearns, Vice-Chairman, Anderson (Madison), Etchart, Hibbard, Adams, Smith, Mathers, Falkenstein, Lord, Aasheim, Bashor, Gustafson, Melcher, Coulter.

Public Health, Welfare & Safety: Keller, Chairman, Crum, Vice-Chairman, Reinecke, Weeks, Reed, Edwards, Johnson, Lucas, Baldwin, Melcher, Bradford, Wayrynen, Twedt, Spahr, Healy.

Rules & Journal: Anderson (Yellowstone), Chairman, Haines, Vice-Chairman, Hawks, Daniels, Emmons.

State Administration: Wright, Chairman, Etchart, Vice-Chairman, Hazelbaker, Stearns, Edwards, Murray, Burrell, Rosell, Lord, Stranahan, Eskildsen, Wayrynen, Raundal, Cerovski, Coulter.

Townships & Counties: Kolar, Chairman, Kvaalen, Vice-Chairman, Adams, Weeks, Asbjornson, Anderson (Madison), Baldwin, Smith, Falkenstein, Hanks, Aasheim, Moudree, Teigen, Twedt, Brenner.

Ways & Means: Page, Chairman, Nelstead, Vice-Chairman, Stearns, Broeder, Johnson, Crum, Hilling, Schye, Loman, Cerovski, Hanks, Melcher, Healy, Stranahan, Gustafson.

REPORTS OF STANDING COMMITTEES

January 2, 1961

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House:

Chief Clerk.....	George T. Howard
Assistant Chief Clerk.....	W. Lynn Engles
Sergeant-at-Arms.....	Dr. J. I. Westphal
First Assistant Sergeant-at-Arms.....	D. L. Casey Jones
Assistant Sergeant-at-Arms.....	Casper N. Nybo
Assistant Sergeant-at-Arms.....	George R. Millons
Secretary to Sergeant-at-Arms.....	Marabeth S. King
Chaplain.....	Rev. I. C. Gronneberg
Bill Clerk.....	Madeline Samson
Assistant Bill Clerk.....	Ramona Z. Jellison
Journal Clerk.....	Rosemary S. Acher
Assistant Journal Clerk.....	Rosella M. Dallas
Journal Steno.....	Irene G. Daly
Law Clerk.....	Carlton Smithwick
Stenographer to Law Clerk.....	Alice L. Hoiland
Payroll Clerk.....	Thomas C. Smith
Secretary to Judiciary Committee.....	Beverly E. Murfitt
Secretary to Appropriations Committee.....	Donna Muffick
Clerk to Chief Clerk.....	Juanita H. Fontana
Reading Clerk.....	William Walrath
Supply Clerk.....	A. E. Lippert
Printing Clerk.....	Joe Grenier
Assistant Printing Clerk.....	Lester McMillan
Engrossing Clerk.....	Mildred Crosby
Assistant Engrossing Clerk.....	Corinne Mooney
Enrolling Clerk.....	Bertha Streeter
Assistant Enrolling Clerk.....	Cleo O. Robinson
Chief Stenographer.....	Joy Nash

Mimeograph Department.....	Agnes R. Screnar	
	John P. Morgan	
	Marguerite Cowan	
Secretary to Speaker.....	Louise T. Betzner	
Secretary to Majority Leader.....	Laura A. Klose	
Secretary to Minority Leader.....	Mabel Schulz	
Postal Clerk.....	Maud Bolton	
Mail Clerk.....	Shirley D. Bowman	
Stenographers.....	Kay A. Fred	Maxine S. Mechan
	Hallie Weydemeyer	Evelyn R. Johnston
	Rebecca E. Mattson	Josephine K. Neill
	Lila Schwefel	Josephine O. Shanks
	Vera P. Clarke	Veda G. Richardson
	Judith Ann Billerbeck	Miriam J. Stock
	Elinor V. Taylor	Marguerite Wing
	Mary E. Allen	Thelma Fleming
	Dolores C. Clarke	Maxine B. Conver
	Cherie Ballard	Dorothy Screnar
	Elizabeth T. Gunderson	Nora B. McKelvey
	Beth Sheffels	
Typists.....	Shirley L. Sautter	Eva M. Farrington
	Janet A. Councilman	Delores R. Hill
	Carolyn E. Doering	Jennie H. Lee
	Florence Chevallier	John Howell
	Sharon L. Colvin	Mrs. Charles Waddell
	Mollie S. Roth	Ann D. Clancy
	Edith H. Merritt	
Pages.....	Bob Higham	William Johnson
	Neil Livingstone III	Joseph R. Furshong
	Jimmy Brown	
Doorkeepers.....	Gordon R. Marchesseault	Arthur O. Swanson
	Patrick D. Jennings	Ken Larson
	Pinky Disney	
Night Watchmen.....	John F. Mannix	M. J. Kelly
Watchman.....	Walt Caddell	
Janitors.....	David D. Carpeta	Jeff Peterson
	Harry L. Watson	
Elevator		
Operators.....	Gertrude A. Kennard	Paul Smith
Proof Readers.....	Anna May DeWolf	Inez Scow
	Dora Evans	Beverly Tomaskie
	Esther L. Schmidt	Jean M. Delaney
	Kathlyn A. Helfert	Tom Mulholland
	Lucinda Schmitz	Genevieve L. Hall
	Barbara J. Young	Neil S. Martin
	Grace Peterson	Gladys D. Krause
	Alma E. Dupuis	Mildred J. Johnson
	Lucy A. Fluhr	Lillian Boner

HAZELBAKER, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 12:30 p. m., Tuesday, January 3, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 3, 1961

House convened, pursuant to adjournment, at 12:30 p. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, the Committee on Rules and Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

NICHOLS, Chairman.

Report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following memorial was introduced, read first and second times and referred to the Committee on Business and Industry:

House Joint Memorial No. 1, introduced by Bradford, Bardanoue, Sheldon, Aasheim, Conklin, Spahr: A Joint Memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the Governor of the State of Montana and to the heads of all departments of the state government of the State of Montana relating to a good business climate in the State of Montana.

Motion was made by Anderson (Yellowstone) that the House recess awaiting the arrival of His Excellency, the Governor, who was scheduled to give his biennial message at this time, before a joint session of the Senate and the House. Motion carried.

House recessed.

House resumed, in joint session with the Honorable Senate. Roll call of the assembly showed all members of both bodies of the Legislature present.

Motion was made by Senator Nixon that a committee of five members be appointed to notify the Governor that the Senate and House of Representatives had convened in joint assembly and were ready to hear his message. Motion carried.

The President of the Senate, occupying the Chair for the joint session, appointed the following committee: Senator Wilson, Senator Baldgord, Representative Loman, Representative Haughey, and Representative Bashor.

His Excellency, Governor Donald G. Nutter, then appeared and was escorted to the rostrum. After being presented to the assembly by the President of the Senate, he delivered the following address:

Mr. President, Mr. Speaker and Members of the Thirty-Seventh Legislative Assembly:

We are assembled here to perform the duties imposed upon us by the people of this great State within the limits of the Constitution of Montana. During the remainder of this Legislative Session you will be required to evaluate all services reasonably expected of government and each of us, according to the dictates of his conscience, will be called upon to provide the necessary services at a minimum of cost.

You and I, as elected officers of the State of Montana are obligated to carry out a mandate of the people—to hold the line on taxes and to live within our income while providing those services we sincerely believe the government is obligated to perform. That your task as Senators and Representatives is difficult is evidenced by the fact that we have carried on a program of deficit spending since June 30, 1949. On that date we had a surplus of \$14,736,025.14 in the General Fund. As of June 30, 1960 we were in the red by approximately \$4,981,000.00. By June 30, 1961, the end of this fiscal biennium, it is estimated we will have a General Fund deficit of \$6,634,459.00. In twelve years we have overspent our income by more than twenty-one million dollars, not to mention levies imposed upon the taxpayers for repayment of special bond issues. You and I must, and will, put an end to deficit spending.

As provided in the Constitution of the State of Montana, the Governor shall inform the Legislature of the condition of the State and shall recommend a program for the future conduct of State government.

The 36th Legislative Assembly provided for the creation of the office of Budget Director. This was good legislation and for the first time the Governor is submitting a budget for State government operation. The figures which I use in this message, except those on University population growth and appropriation increase, and student-faculty ratios, are those of the Director of Budget and were arrived at after considerable research and investigation.

I could tell you of the amount of income during this biennium and the amount of expenditures, the sources of income and where the money went, but such information is available to you and given here would be repetitious. Our financial condition is simply this: the State of Montana will be in the red \$6,634,459.00 at the end of this biennium. In addition to this deficit, supplemental appropriation requests, in the aggregate amount of \$350,-574.47, have been received by the State Board of Examiners.

Your task, and mine, in providing finances alone, is monumental. We must pick up the tab on supplemental requests; provide funds to operate the State government for the next biennium; and make provision for liquidation of our deficit. You will appreciate the magnitude of the problem when you realize that former Legislatures have overspent State income, but you and I are expected to do these three things within the limits of funds available. It can be done.

We have an obligation to provide funds for certain necessary services and because of our financial condition we must place these services on a priority basis. We must provide adequate funds for education through the foundation program and you will note in the budget an increase in the state contribution. We must see that our custodial institutions have funds to carry out their required functions. I will not take the time at this point to outline the needs of every department. We have submitted a budget which I believe will keep our departments functioning properly, providing required and necessary services only, while we retrench and develop a program for a completely streamlined state government.

You will note that the aggregate of the budget is \$70,927,694.00. This represents a substantial reduction in the \$74,682,322.00 appropriation from the general fund by the 1959 Legislature. I fully appreciate that the Governor's budget will shock many department people. But it was prepared with recognition of the fact that any increase in budget allowance for any department must necessarily be accompanied by an increase in taxes. It is my firm conviction that we cannot expect economic growth in our state if we strangle economic development with oppressive taxes. We cannot continue to pile tax, upon tax, upon tax upon the same few taxpayers. We must broaden our tax base by encouraging Montana businesses and industries to expand into new areas, and by attracting outside industries into our state. We need more jobs—full employment—demand for our agricultural produce—and we cannot have these by following a program which drives employers out of the state and cause those who remain to curtail their operation. A broadened tax base with the same tax levies will produce additional state government income. Funds for education, the custodial institutions, highways, and other governmental services will thus come from growth—not from new or additional taxes.

If appropriations remain within the limits of the budget then the burden will fall upon department administrators to operate their respective departments with the allotted funds. We cannot, and with your help—I will not, stand for the program of supplemental appropriation requests we have had in the past wherein too many cases, emergencies have been more imagined than real.

When department people make supplemental appropriation requests in an amount approximating the reduction in their budget request by the preceding Legislature, it appears that they intend to spend what they wanted—the Legislature notwithstanding. Administrators in all departments of State government must realize that in money matters the Legislature—as representatives of the people—shall say, this is what you will spend—and no more. Only in the case of a real—not imagined or desired—emergency should a department administrator ask for funds over and above his budget.

Under the budget as submitted most departments will receive less money than was appropriated by the 36th session of the Legislature. In the past, budget requests and allocation of funds have been generally based upon appropriations for each department by the preceding Legislature. This raises the assumption that all previous appropriations were wisely spent by all departments. This just is not true.

Examination of the fiscal policies of many departments reveals that over-staffing has resulted in dissipation of salary appropriations to the extent that we are losing our best qualified personnel because our salary scale is inadequate. Reduction of staffs or personnel could provide money for increased salaries to our competent, dedicated state employees with little or no increase in appropriation. The budget contemplates such reduction in departmental personnel with salary increases for those retained in service.

In too many instances money has been spent by administrators for equipment and physical plant which, while desirable in some cases, has not been necessary. Office equipment, training and laboratory equipment, automobiles and highway machines have been replaced while still highly usable, apparently because of the desire to have current models. The budget as submitted, sharply reduces the funds for such equipment purchases.

It is well that you and the people of Montana know that travel expense of boards and commissions for the fiscal year ending June 30, 1959 amounted to \$1,841,469.00; that travel expense for the University System for the same year was \$282,913.00; that travel expense for the custodial institutions was \$28,118.00; or a total of travel expense for that fiscal year of \$2,228,217.00.

For the two-year fiscal period ending June 30, 1960 the state depart-

ments spent an aggregate of \$4,380,717.00 in travel expense. Needless to say, the budget for travel has been carefully scrutinized and sharply reduced. Out of state travel has been reduced from \$382,790.00 to \$115,095.00.

Any talk about travel expense brings to mind the number of state vehicles traveling the highways of Montana. Many of these vehicles have the same point of origin and the same destination but because of lack of liaison between departments, or between sub-departments, each vehicle will carry only one occupant. I discussed the matter of a vehicle pool with the Budget Director who advised that, while the idea was excellent, an efficient pool would require a storage and service installation, in order to control check-outs. With the shortage of funds, it is not feasible at this time to advocate construction of a storage garage.

We have taken steps to curb some of this vehicle use by sharply reducing travel expense budgets. I recommend that the Legislature take a good, long look at vehicular operation by the departments and if you feel it advantageous to the state that one office be given control over all state owned automobiles, to be checked out as required, legislation authorizing such control be enacted. This would merely be stop-gap legislation, to be effective only until a rigid car-pool program could be legislated.

During the past few years we have had under way, in one department or another, a building program of considerable magnitude. Many of these buildings were necessary; others were nice to have, but I believe it is time the Legislature assumed complete control over all State building programs. I believe that in the interest of a more intelligent approach to our housing problem authorized buildings presently under construction should be completed but a moratorium should be declared on all new building starts until a master plan for building construction, can be developed which will give consideration to real, not imagined; necessary, and not desired, construction programs.

At this point I would recommend that you give consideration to the creation of a State of Montana Planning Board, similar to that of Nevada's, to make recommendations to the Legislature of the priority construction of all buildings or other construction, land acquisition and site development for the State of Montana so that we can have a sound program for planning and construction. Such a board would furnish engineering and architectural services to all State departments, including the University units and boards and commissions, for the construction of State buildings. It would approve the architectural design, solicit and let bids for construction, and supervise construction or major repairs.

In addition, plans and specifications for every school built or remodeled extensively within the State could and should be checked by such a board.

The importance of one central agency administering all capital improvements for the State of Montana is obvious for efficiency, economy, standardization, safety, and the progressive, orderly and timely development of the State's capital improvement needs. With all construction channeled through one agency, there is no possibility of duplication.

To meet the demands of a State with the growth potential of Montana, long range planning is essential, not only for actual building requirements, but for the systematic expenditure of capital outlay as well. The economy and practicality of multi-and joint-use buildings can only be planned by one agency fully cognizant of the space requirements for every office, agency and institution within the State.

Members of the board should be a well-paid highly qualified state engineer; a well-paid, highly qualified architect; two lay members to serve on a per diem basis, and the Governor.

With the building construction moratorium mentioned, in effect during the next two years, the State of Montana Planning Board would study the

building needs of the departments, and establish a priority building program based on such needs, and would report their findings and recommendations to the next Assembly. The Legislature could then intelligently authorize construction of buildings where most urgently needed.

Such a program would save the State of Montana many times the capital investment and would be good business. If adopted, the present positions of supervising engineer, and building inspector for the Board of Examiners should be abolished inasmuch as the Planning Board engineer and Planning Board architect would perform the duties of these positions. This board would also provide a continuous maintenance and repair program.

A number of state departments such as Fish and Game, the Oil and Gas Conservation Commission and the Highway Department operate, free of legislative control, on fees authorized by law and collected by them. In many of these fee supported boards, bureaus and commissions income has been greater than operating costs to the extent that surpluses have been created. A small surplus as a cushion in case of emergency is sound business practice. But large surpluses have in almost every case resulted in increased cost of operation of the department to that point where the surplus is eliminated and there follows a request for increase in fees to the detriment of all Montanans. Thus has been born a vicious and costly cycle.

I realize that by constitutional provision highway funds cannot be diverted to other uses and that is as it should be if we are to have a sound highway program at the least cost possible. I fully appreciate that Fish and Game funds, if we are to continue with federal programs, cannot be diverted for other uses and I will say now that I am opposed to placing Fish and Game receipts in the general fund for appropriation back to the department. This money comes from Montana sportsmen and should be used for the purposes intended by the people who pay the fees.

But you and the people of Montana should know that because these departments collect and spend their own funds, the Legislature has, in the past, exercised control over less than 25% of state government funds. Members of the Legislature are elected by the people; come to Helena to represent the people. But more than 75% of state expenditures are made, not by legislators, but, by boards, bureaus and commissions and department personnel over whom former lawmakers had little or no control.

To correct this situation every department of government has been put on a budget, even though income to a particular department is in excess of the amount allotted.

In most instances decisions as to expenditures by departments with fee income have affected only those people directly concerned in the operation of the particular department. But in some cases, particularly in the purchase of land which is removed from the tax roles, the activities of a board or commission can become the concern of all people in Montana. The budget for such departments as Fish and Game do not provide funds for land acquisition. I realize Fish and Game will be purchasing land for wild life propagation and habitat. In the best interest of everyone I believe the Legislature should specifically, by legislation, authorize such purchase. I have, therefore, requested Fish and Game to determine land needs for the next two years and request of the Legislature an appropriation from fish and game funds to acquire such needed lands. Thus, at each succeeding legislative session, the department shall outline money needs for land acquisition over and above the budget authorized for operating costs.

The function of the custodial institution is to provide good—not mediocre—care, custody and in some cases education for those confined therein. Our primary concern is not the convenience of administration; not the acquisition of nice but unnecessary equipment. Our primary concern is that the individual has good food, good clothing, good housing, good care and in those institutions where applicable, good education.

Most, if not all, of the administrators of the custodial institutions are dedicated individuals giving, in many cases, more of their time and effort than the salaries received would warrant. Many of these people are trained as professional men and women or are specialists in a particular field. The duties of administration have been forced upon them by lack of funds and they have administered as best they could according to their own judgment. Examination of the fiscal policies of these institutions reveals some errors in judgment. In some cases money, which could have been better spent for care, custody and education, has been spent for desired but not necessary equipment.

The budget before you provides for reduction of the 1959 budget in aggregate allotments to almost all custodial institutions, but you will note that funds for care, custody and education have been increased in each of these institutions. Salary budgets have been increased by increasing the amount of money for this purpose or by reducing the number of administrative and employee personnel. The latter approach is consistent with the administration's over-all program of releasing from state employ those persons whose services are not really needed, and increasing the salaries of those retained.

The following is a brief summary of budgetary action taken and when I speak of reductions and increases please keep in mind, such changes are in relation to appropriations made by the 1959 Legislature:

At the Soldier's Home the administrator requested that his staff be increased by eight, from twenty-two to thirty. The budget provides for an increase of five and the salaries allowed the twenty-seven employees were at the scale requested. The allotment for the purchase of equipment has been reduced. The salary of the administrator was increased. The amount of money allotted to care and custody was increased.

The Industrial School budget provides for a reduction in administrative costs and for a sharp reduction in the amount to be spent for equipment purchases. The budget for repairs of the physical plant has been increased. The amount allotted for care and custody of the boys has been substantially increased and funds for teaching have been increased.

The Home for the Aged will receive an increase for care and custody and the salary budget is raised.

The School for the Deaf and Blind has in the past operated on a ratio of approximately one teacher to five youngsters. When asked what a realistic ratio would be, the superintendent advised that the national average in this type of school was one teacher to eight pupils. The Budget takes recognition of the latter ratio and provides for a reduction in staff personnel with a salary increase for those retained. New and replacement equipment is needed at this institution and funds allotted for this purposes were increased. The allotment for education was reduced by the reduction in teaching staff. Funds for operation of the physical plant are the same as before and funds allotted for care and custody were increased. The administration budget received an increase.

The Tuberculosis Sanitarium at Galen shows a glaring example of over-staffing. At the time of preparation of this message there were two hundred patients in the hospital. At the same time there were two hundred and fifty employees on the payroll. It is estimated that during the next two years the number of patients will remain approximately the same so the Budget provides for a reduction in personnel from two hundred and fifty to one hundred fifty-nine. The salaries of those retained are, as in other institutions, increased. The allotment for purchase of equipment is reduced. A reduction in the number of positions assigned to care and custody from two hundred seventeen to one hundred twenty-five will show up as a reduction in care and custody, but actually, with the reduced staff, care and custody is increased.

The budget for the State Hospital at Warm Springs has been increased but again elimination of thirty positions will reflect a decrease in funds allotted. Five part-time positions and one full time position have been eliminated in administration. Salaries of those employees retained are increased. A reduction in funds for household supplies was provided as requested and the allotment for purchase of equipment was reduced. The food allotment was increased; so again, a larger budget is provided for food, care and custody of the patients.

The State hospital receives contributions from relatives of patients. In the past this income has been supplemental to the Legislative appropriation. To strengthen the control of the Legislature over the fiscal policies of this institution, I recommend that such contribution revert to the General Fund for inclusion in the Legislative appropriation back to the institution.

The budget for the Girls' Vocational school for administration was left the same but provision was made for one additional teacher and employee salaries were raised. The amount of funds for care, custody and education was increased. Allotments for certain needed repairs and for the purchase of equipment were increased.

A staff of one hundred forty-three formerly operated the state prison. This has been increased to one hundred eighty-four. The budget provides for a staff of one hundred sixty-nine. The administration costs at the institution were too heavy as compared to other prison operations and were reduced. The budget provides for a reduction in costs of education and training, principally through reduction in staff. State subsidization of the ranch operation was reduced and funds for equipment purchases were eliminated. The allotment for food, care and custody was increased. Under the budget program the cost per inmate is comparable with costs in neighboring states. I believe favorable consideration of habitual criminal legislation could reduce crime in Montana and thereby result in a reduction of our prison population.

The budget for the children's center at Twin Bridges reduces funds for purchase of equipment. The allotment for food, care, custody and education was increased. The number of personnel on the staff was reduced and salary increases provided for those retained. You and the people of Montana should know that, while we have thought of this institution as an orphanage, at the present time only three of the children at the center are orphans. The remainder are children of broken homes, children of parents who, while short of child abandonment, as defined by law, refuse to provide adequately for their children in the home; and in a few cases, children of parents, one of whom is deceased. I believe these parents should be compelled, if their economic situation permits, to contribute a sum equivalent to the full cost of caring for and educating their children either at Twin Bridges or in a foster home. There is something wrong with a system which permits, in so many cases, irresponsible parents absolving themselves of all parental obligations by the simple expediency of letting the state take care of their children. I recommend that you consider modification of the laws defining abandonment to the end that if parents don't want their children, the youngsters can be placed for adoption in a home where they will receive the love and affection which is never forthcoming in a state institution. If corrective action is taken it might conceivably be possible to some day discontinue the operation at Twin Bridges.

Legislation designed to tighten our marriage and divorce laws could have a direct effect upon the number of children thrust upon the general public from broken homes and I respectfully urge careful and favorable consideration of such bills.

The budget for the state training school at Boulder as submitted by my predecessor provided for a reduction in administration, by reducing the number of personnel, in care and custody, in repairs and maintenance, and

in education. You will note that by supplemental amendment I have recommended an increase in funds for care and custody and for education. The financial program as outlined in the budget leaves at the end of the biennium a surplus of approximately two hundred twenty-nine thousand dollars. Weighing the risk of a drop in State income against the needs of the Boulder institution I believe the latter must prevail and this allocation has been made to the training school on a basis of priority.

During this discussion I have pointed out salary increases for employees but I would call your attention to the fact that no salary increases have been given to the administrative heads of these custodial institutions. Information in this message pertaining to overstaffing, which could normally be assumed was attributable to poor administration, in some cases was not the fault of the administrator. Much of the blame for the overstaffing of these institutions rests with those people who have exerted pressures which the particular administrator, because of his position, could not resist. I believe that the administrative head of a department or institution should determine personnel needs, within the limits of his budget for salaries.

The Budget Director after as complete research as time permitted has recommended personnel reductions in most of the custodial institutions. Undoubtedly, institution administrators, in the interest of effective and economical operation can and will make further reductions in staff personnel. In such cases, consistent with the administrative program of cutting out unnecessary expense and paying better salaries to those dedicated, productive career people, each administrator should be authorized to apply a portion of the money thus saved to salary increases of those employees retained, including his own. I personally feel that most of our institution administrators are underpaid and, if through efficient operation they can save the State money, then a salary increase should be forthcoming before the next Legislature convenes. I believe all such salary increases for staff personnel and administrators should be in an amount approved by the Governor and always within the aggregate salary budget for the institution.

Allocation of funds for buildings in the budget has been limited to completion of buildings already started but as in other departments the budget is consistent with the administration's policy of a moratorium on new building construction until such time as needs can be evaluated by a planning committee and priorities established.

You will note a sharp cut in the budgets for the six units of the University System. The maximum student load at the six units has increased approximately 81% in the years 1951 through 1959. The per student appropriation in 1951 was \$770.00; in 1959 it was \$1,873.00. While enrollments were increasing by 81%, appropriations to the six units were 317% higher in 1959 than in 1951.

In the first term of the 1959-1960 college year the student-faculty ratio at the University of Arizona was 14.8 students to one faculty member. At Colorado State University the ratio was 15.4 to 1. New Mexico University 21.7 to 1; North Dakota State College 15.7 to 1; and Utah State University 17.4 to 1. The student-faculty ratio at Montana State College for the same 1959-1960 fall term was 12.8 students to one faculty member. These are all land grant college and universities. I am sorry figures for the 1960-1961 fall term were not available to me but apparently those for the 1959-1960 first term were the most current in the National Office of Education in the Department of Health, Education and Welfare, the source of those quoted. I would call your attention to the fact that these ratios are based on first term enrollments. Enrollments generally decrease in the second and third terms of the college year and such drop would, of course, show on even lower student-faculty ratio.

The budget has provided salary increases as requested by the unit presidents. Such allocation of funds has been on the more realistic student-faculty ratios of 15 students to one faculty member at the School of Mines. 17 to 1 at the two large units; and a ratio of 20 to 1 at the other three

schools. Buildings under construction can be completed but future building programs on each campus will be placed on a priority, based on real need and not desire.

The Board of Education has initiated a study of needs of the six units to the end that duplication of courses can be eliminated or held to a minimum and proliferation within departments of each unit, stopped. The board has employed an executive director who will direct his attention to this area and board members are to be complimented for this action.

The taxpayers of Montana have been saddled with the cost of a six-unit university system and most people are of the opinion something should be done to correct the situation. A committee on higher education could examine our higher education needs and come forward with recommendations which would enable us to intelligently evaluate our system and modify it to fit our financial capabilities. I recommend provision for such a committee.

When money is available, equipment for all departments and institutions should be purchased on a need and priority basis.

The budget provides for an increase of \$3,422,179.00 in common school aid. For the first time in many years the state will contribute 100% of its share to the foundation program. This will be true only if existing schedules are maintained. If there is an increase in foundation schedules then again the state's share under the budget proposal will fall short of full contribution. If adjustments are necessary in the program to provide more equitable distribution among schools, then I strongly urge that such adjustment be made within the limits of allotted funds. As in other departments this may mean a two-year period of retrenchment and re-examination of school expenditures but if we keep within financial bounds this biennium, I have every confidence that future increases in state aid for the foundation program can be made on a 100% basis to the end that our schools in the future will be better financed.

I recommend that the Legislative Assembly take a good look at school district reorganization in Montana. School districts are the basis of local taxation for our schools, and they are the basis of local control of our schools. If we continue to have inefficient local school districts, we will continue to have inefficient school systems.

I understand legislation will be proposed which could eventually cut the number of our school districts from around 1,100 down to around 200. This is a plan to make larger and more efficient school districts, but has nothing to do with the location of schools in the districts. The location of schools is a matter left to local trustees.

The plan calls for duly elected county committees to reorganize districts in each county according to rules and regulations stated in the law. This is a voluntary reorganization proposal, subject to a vote of the people in each county.

Over twenty states have already reorganized their school districts, and several others are currently in the process of doing so. Reasons for reorganization of districts are to secure better qualified teachers, to provide improved educational programs, to provide adequate facilities, a broader tax base, more efficient use of teachers, broader curriculums, better in-service training for teachers, and more efficient and economical operation.

Considering future financing of education in Montana I strongly urge this legislative body to memorialize congress and the administration to enact and approve enabling legislation which will authorize and direct the district director of internal revenue in each state to retain a percentage of the federal income tax collected in the respective states to be delivered to tax collecting departments and thence to education.

I will not devote any part of this message to other department budgets other than to say the general approach has been the same in all cases.

The budget submitted by the governor will enable the state to live within its income without an increase in tax. However, in dealing with our deficit we have two alternative courses of action. One, provide for an additional and new tax; two, enact legislation necessary, wherever possible, to transfer certain departmental reserve funds to the general fund to be used in retirement of the debt. I favor the latter course.

I would call your attention to the fact that the State of Montana is in the hail insurance business. At one time this program was justifiable, but today justification of a tax-free state business which furnishes insurance at cost to a relatively small number of subscribers is questionable. Private insurance companies provide hail coverage and if this is not satisfactory in certain areas the federal crop insurance program offers some hail loss protection.

The Legislative Council has recommended abolition of the Hail Board and transfer of its duties and functions to the Department of Agriculture. I would go one step further and recommend that you abolish the Hail Board; take the state out of the hail insurance business and transfer all reserve and surplus to the general fund. The hail insurance reserve fund is slightly more than two million dollars. It was created by making use of the state's credit and by enjoyment of tax-exempt status. If this fund is applied toward reduction of our indebtedness, no additional taxes will be needed under the budget as proposed.

I would further recommend that the Ways and Means Committee of the House of Representatives examine the surplus, reserve or sinking funds in other departments to determine if additional funds from such sources can be applied in reduction of the deficit and used to provide a cushion in the event state income falls below that anticipated.

With state income, to a large extent, dependent upon economic conditions, and such income fluctuating as conditions change, I respectfully suggest that you consider the creation of a commission composed of the budget director, the controller, and the chairman of the Board of Equalization, to compare reasonable expected tax return against appropriations. In the event of a decrease in income, department budgets could be reduced so that we can avoid a fiscal deficit. The members of the commission would serve without pay and their sole purpose would be to keep spending within income during the interim between legislative sessions.

I am sure that the members of this Legislative Assembly are fully aware of the emergency need to amend certain portions of the Unemployment Compensation Law. But let me urge you to give this matter your immediate consideration to insure enactment of the corrective measures necessary early in this session. Legislation must be passed to eliminate payment of benefits to the highly seasonal or occasional workers. Benefits must be restricted to those individuals who are sincerely attached to the Montana labor force for the major portion of the year. Continued payment of benefits to the so-called marginal worker over the past three years and nine months has destroyed the solvency of the unemployment compensation program and has caused unemployment insurance reserves to drop from \$44,317,573.27 on April 1, 1957 to \$26,995,860.50 on November 30, 1960. The fund balance reached a low of \$23,953,607.31 on June 30, 1960 before some recovery was experienced during the summer months. The uniform maximum tax of 2.7% now imposed on all covered payrolls in this state cannot begin to cover the cost of what is being paid out.

There are other important and needed amendments involving claimant disqualifications and more technical provisions which will be presented and will deserve your close attention. The uniform 2.7% tax now paid by Montana employers is an extremely serious handicap to our effort to attract business into Montana and cannot continue if we are to provide more jobs for our growing population. The present benefit payment rate amounts to approximately 3.7% of taxable payrolls in this state, and unless amendment is enacted to reduce this tremendous cost further, tax increases will be nec-

essary. The unemployment compensation program must return to its original objective, to pay benefits to those who are unemployed through no fault of their own—the breadwinners who are obligated to work or sincerely seek work the year around.

In the area of workmen's compensation I recommend a reasonable increase in weekly benefits. In the past, unreasonable demands of some labor lobbyists have met with stiff resistance from industry representatives with the end result that nothing has been done to improve the situation.

On your desk has been placed a report "The Organization and Administration of State Government" as prepared by the Legislative Council. At this time I wish to commend each and every member of that council and their executive director for their accomplishments in this field. I urge each of you to read this booklet carefully from cover to cover. It will give you a better understanding of the problem existing under our present governmental structure and ideas on solutions to many of these problems.

You will note on pages 15, 16 and 17 of the report that the council is critical of the set term appointments whereby the Chief Executive loses administrative control of the departments.

As pointed out in the report "The Government is vested with the supreme executive power of the state and it is his duty to set to it that the laws are faithfully executed. Yet, a number of departments, boards and commissions have little or no direct connection with the Governor, and in other instances, the lines of authority are not set up clearly . . ." Montana's government is one of boards and commissions. The members come to Helena and sit once each month for one, two, three or five days, and then return to the pursuit of their chosen avocations. The end result is that in too many instances department personnel run the department with little or no executive control. Such a situation is not desirable and particularly in fiscal matters it can and has had dire fiscal consequences. The Legislature should by statute determine policy and activities of every board and commission. The Governor should then see that the direction of the Legislature is carried out. But, without authority to control the operation of these departments directly or through the boards or commissions, his hands are tied. The greatest weakness in fiscal responsibility lies in the lack of control over boards, bureaus and commissions by the Governor. In many instances board and commission members have recognized incompetence within their respective departments but have failed to take corrective action because their authority to do so has not been clearly defined.

Sound governmental operations can only be achieved by placing authority where responsibility lies.

I, therefore, request you to enact legislation which will repeal all term appointments and provide that all persons on the state government payroll, except those appointed by elective offices other than the Governor, serve at the pleasure of the Governor, tenure and longevity notwithstanding. It is not my intention to eliminate tenure and longevity, but I believe it desirable to provide for the removal of incompetent personnel without a court action to determine if cause for the removal exists.

The people of this state are demanding efficiency in government—demanding that departmental spending be controlled—demanding that people on the state payroll earn their salaries. Only with the authority I herein request can the Governor of Montana implement their demands. I realize the tremendous responsibility which accompanies the granting of this request and I fully appreciate the political ramifications which necessarily go with this authority. That is as it should be. The Governor should attain sound operation in that part of the state government under his jurisdiction or he should answer to the electorate at the next election. Only in this way can we attain our desired objective—efficiency in state government.

I would direct your attention to that portion of the Legislative Council's report dealing with claim approval procedures wherein the council mem-

bers point out that fallacy in the belief that all claims are examined by the Board of Examiners. The function analysis and suggestions contained in pages 30 through 36 are surely worthy of your study and consideration. As pointed out therein the Board of Examiners has the constitutional duty to examine unliquidated claims. The duty to examine liquidated claims is placed in that board by statute. By statute this duty could and should be imposed upon the state controller. As suggested by the council on page 30 of the report, "Deficiency claims should be certified by the Controller and forwarded to the Governor via the Budget Director for transmittal to the Legislature. Requests for permission to draw on a future fiscal year's appropriation should also be made the responsibility of the Governor. Such functions are closely intertwined with budgeting, and were originally assigned to the Board of Examiners when it was responsible for preparing the biennial budget. Now that budgeting is the responsibility of the Governor, such allied responsibilities should follow . . ." The Budget Director act was good legislation and is good law. The only weakness obvious therein would be corrected by these recommendations of the council.

In order that we can better coordinate the financial operation and administration of our government I recommend that you give consideration to the creation of a department of administration and finance as recommended in the budget message. A number of departments have their own bookkeeping and accounting programs. With cut-off dates in many cases differing from those of the Controller's office, reconciliation of expenditures and balances has been almost impossible. We must have a new and modern manual of accounting with special sections provided for the university units and the custodial units. Modern machine operation could provide each department with a monthly statement of conditions and thereby end the need for separate bookkeeping and accounting sections within the individual departments.

Many departments have purchased thermofax, mimeograph and other machines which, because considered the property of that particular department, are used, in many instances, less than 10% of capacity. These machines cost money and it is mandatory that the number of units be reduced and maximum use be made of those retained by placing them in a central machine room in each building. They will thus be available to all departments as needed and the costly practice of each department purchasing its own can be avoided.

I am sure most, if not all, of you are familiar with the overlapping of jurisdiction between departments. Every such overlapping of jurisdiction is costly to the taxpayers and must be eliminated.

The dairy industry is under the jurisdiction of weights and measures, which check containers; the dairy division, which enforces standards; milk control board, enforcing price regulations; and the sanitary board, which controls licensing at sanitation standards.

The poultry industry is governed by the Poultry Improvement Board in promoting welfare of the industry; by the dairy division which enforces the egg law; and by the Livestock Sanitary Board.

Entomology is under the jurisdiction of the state entomologist and the Department of Agriculture.

Jurisdiction over water rests with the state engineer and the Water Conservation Board.

Conservation is practiced under the Water Conservation Board; the Grass Conservation Board; the Soil Conservation Service; Natural Resources and Development; and the State Forester.

We have a public employees retirement system and social security; a teachers retirement board; and a highway patrol retirement board.

Taxation and Revenue comes under the jurisdiction of the Board of

Equalization; Attorney General; Secretary of State; University System; Liquor Board; Highway Commission; Auditor; Board of Health; Department of Agriculture; custodial units; Railroad and Public Service Commission; Registration of Motor Vehicles; Unemployment Compensation Commission and the regulatory boards.

Claim and warrant processing is done by the Board of Examiners, Controller, and the Auditor.

One-fourth of the warrants are machine prepared; three-fourths are hand prepared.

This duplication and failure to make use of the best procedures is costing the Montana taxpayers money. Money ill-spent in this area is denied those departments so badly in need. I strongly urge you to consider the recommendation of the Legislative Council that we consolidate our departments into twenty; and the recommendation of the Budget Director that we have only eighteen major departments. With such consolidation of departments headed by competent, well qualified administrators we will have taken the greatest step toward government efficiency.

Preparation of a sound budget within a relatively short time has been a tremendous undertaking and I wish to compliment the Budget Director and his staff for a job well done.

A great deal of publicity has been given to prices paid for highway right-of-way and corrective legislation should be enacted to expedite the road construction program in Montana. If changes are made in eminent domain statutes they should be on a basis of equity for the land owner and for the state, to the end that the state can obtain right-of-way at a fair price while the landowner receives full value for his property.

Any legislation which will protect our great surface and underground water resources should be given careful and favorable consideration. In reaching decisions on measures which might have any bearing on constructions of dams, for the production of hydro-electric energy, or for irrigation, the governing factor should be "What is good for Montana." If this state is to grow, we must ever be in a position to assure new and growing industries that we have available, or a ready potential for, an adequate supply of water and power. If we stand idly by and see federal dams built with no reservation of power and water, then we have given away our birthright to the detriment of present and future generations of Montana citizens.

At this time I wish to commend the Montana members of the Columbia Valley Compact Commission for the time and effort they have spent in this program. That such efforts have been fruitful is evidenced by the fact that the compact agreement, as signed by negotiating commissions of the seven states, provides that a major portion of at-site power is reserved to Montana, and this state may share in the remainder of the power generated with the downstream states, such sharing to be based upon need at the time. The agreement further provides for a reservation of water through the year 2010.

I recommend due consideration of the legislation providing for adoption of the compact agreement. The declaration of policy set forth in the compact could possibly have an effect upon the allocation of hydro-electric energy from the Libby dam and it would be advisable to take action on this legislation as soon as possible.

Montana is considered to be a mining state but today very few of our small mines are in operation. One must suppress with considerable sternness the suspicion that too many federal congressmen are more concerned with metal production in foreign countries than in our domestic operations. Placing Montana mines back in production would give a substantial lift to our economy by providing employment so sorely needed in the mining sections of the state. Consideration should be given to any recommendatory legislation, in the form of memorials to Congress, which move this indus-

try out of the doldrums. You might consider what effect an increase in metals depletion allowance might have upon mining operations in Montana.

Any program for the future of Montana must assure business, industry, and agriculture of a healthy tax climate and a sound state government. Research facilities at the various university units are being used to assist in our economical development. This program should be encouraged and developed to the end that the timber products industry can, with new uses for their product, flourish and provide more jobs for sawmill employees. Many sawmills are closed; others are working four days per week. The industry needs a shot in the arm and any research program which will stimulate the economy of the industry will be beneficial to all of Montana.

Personnel at the State College are making a study of the feeding industry potential in Montana.

The State Planning Board has been carrying on a program of attracting outside industries to Montana. This program should be accelerated because out of expanding and new industries will come the jobs we so desperately need to assure our working force of full employment.

Any self-help program which will aid agriculture, business or industry should receive your careful and favorable consideration.

I mention these things in this message with the thought that members of this body may come up with new ideas which will bolster our economy.

In the field of labor-management relations differences between the parties have usually not had too great an impact on our general welfare. However, the recent strike had far-reaching effects upon the economy of the entire state. This was not a matter which concerned only the active participants; it touched people across the length and breadth of this commonwealth. The welfare of the general public became involved. For this reason and for the protection of the union members involved I would suggest legislation to provide for a mediation board with representation from labor, management and the general public to make final efforts to bring the parties into agreement, and in the event this failed, to hold a secret ballot strike election, to determine if the union members did or did not want a strike called. I am thinking in terms of a "bill of rights" for the protection of the rank and file union member. Such a board would not in any way interfere with the union's right to strike; it would merely assure the membership and the general public that the strike, if voted, was the will of the members. By having representation on such a board, the general public would be in a better position to evaluate the claims of the disputants to the end that both parties involved would bend a little to accomplish a settlement. Any such legislation would necessarily have to conform to federal labor-management statutes.

You well may receive requests from some counties to raise millage limitations. For the protection of the taxpayers in every county I would ask you not to be stampeded into taking such action until the reclassification and reappraisal program is completed. Real property taxes are at the saturation point and any program which increases the tax burden on farm and ranch land and improvements, commercial real property, and homes, could have a depressing effect on future economic development and growth. While the State of Montana is carrying out a fiscal retrenchment it might be well for the counties to cut the waste out of their government operation to the end that the hard-pressed taxpayer can get some relief. It will avail the Montana citizen little, if any reduction in cost of state government is rendered ineffective by an increase in cost of county government. We need economy and efficiency at every level of government.

Existing apportionment figures if applied to future legislative representation would result in a greater number of members in the House of Representatives. Additional members means added cost of legislative operation, and the obvious question would be, "Where would you seat the new mem-

bers?" Any substantial increase in membership of this house would require additional floor space. For that reason I suggest for your consideration in enacting apportionment legislation that you adopt a factor which will provide for a House membership of 94—and no more.

The 1957 Legislative Assembly, at the urging of public employees, eliminated Saturday as a work day and established a five-day, forty-hour week. It was the intent of that Legislature, as evidenced by discussion in committee and on the floors of the two houses that each employee would work forty hours per week. It has become a common practice for many county and state offices to stagger the hours of personnel so that each employee works only thirty-five hours or less. If there was ever evidence of over-staffing within departments this practice makes it *prima facie*. If the Legislature intended public employees to work a five-day forty-hour week and if this intent is not clear, then corrective legislation should be enacted so that all departments employ personnel on the same work basis.

The 36th Legislative session provided for a civil rules commission to be appointed by the Supreme Court for the purpose of recommending rules of practice and procedure in our courts with a view to simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits. The commission was appointed, made a thorough study of the rules as they applied to Montana practice and have made their report which will be forwarded to this legislative session for its action. I strongly recommend that a bill for adoption of these new rules as recommended by the civil rules commission be passed. The citizens of Montana and particularly those involved in litigation will benefit by the measure.

In speaknig of court procedures I think it is incumbent upon me to compliment our Supreme Court for cleaning up its backlog of cases and maintaining a current calendar.

The Montana State Advertising Department Advisory Board has requested an increase in appropriation from the Highway Department administrative fund. Expenditures of the advertising department have been well utilized with commensurate results and I respectfully urge favorable consideration for a reasonable increase. Advertising of the good things in our great state is just good business. With closer cooperation between the advertising department and the present State Planning Board, the value of a good advertising program will, I am sure, be reflected in industrial growth, as well as increased tourist business. This request was made after the Highway Department budget was established and, therefore, I have shown it as a supplemental amendment to the budget as drafted.

Bills dealing with interstate education compacts, highway traffic safety, public welfare, child welfare, juvenile problems, public health and other matters may come to your attention and will be deserving of your careful considerations.

I have dwelled at length on fiscal matters because I sincerely believe the future of Montana depends upon a sound state financial policy, business and industrial growth, and full employment with the resultant prosperity. I fully appreciate that some of my recommendations may offend some people, may seem harsh to others. Figures used herein are not meant to embarrass anyone. My sole purpose in such use is to prove that an effective streamlining program can be carried out.

We want Montana to be known as the greatest State in the Union in which to live, work, raise and educate our children. If this Legislature leaves Helena, having provided funds for government operation for the next biennium; having picked up the tab on supplemental appropriations, and having arranged for payment of the State deficit; as well as taking care of other necessary legislation; without one cent of increase in taxes; it will go down in history as one of our truly great law-making bodies. If it succumbs to political pressures to the detriment of our future it will have failed the people of Montana.

The decision is yours to make. May God give you and me the strength, courage, and intelligence to do those things good for Montana.

It was moved by Senator Nixon, and carried, that one thousand copies of the Governor's message be printed and distributed to the members of the House and Senate, and to other state offices and interested parties.

The Governor having been escorted from the chamber, it was moved by Senator Nixon, president pro-tem, that the joint assembly be dissolved and that the members of the Senate return to the Senate chambers.

The joint assembly having dissolved, the House resumed business. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by McOmber that the Rules of the House be amended by striking out in its entirety Rule 16, and inserting in lieu thereof the words: Except for conference and Bill Committees, no committee members shall absent themselves by reason of their appointment during the sitting of the House, without special leave, in which case the Journal shall indicate that said member is engaged in work of a legislative nature.

Substitute motion was made by Anderson (Yellowstone) that the motion of McOmber for amendment of House Rule 16, be referred to the Committee on Rules and Journal for consideration. Substitute motion carried.

Motion was made by Abel that Section 2, Rule 4 of the Rules of the House be amended by inserting the words: "After making such correction, Chief Clerk or engrossing Clerks shall initial margin of House Bill, Memorial or Resolution in order to establish responsibility," following the word "thereto," in line 8 of the mimeographed copy.

Substitute motion was made by Anderson (Yellowstone) that the motion by Abel for amendment of Section 2, Rule 4 of the Rules of the House, be referred to the Committee on Rules and Journal for consideration. Substitute motion carried.

Motion was made by Daniels that the Speaker reconsider the appointments to standing committees. After debate, Haines moved the previous question. Motion carried.

Motion by Daniels failed to carry.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Agriculture and Irrigation.

House Bill No. 3, introduced by Bardanouve and Schwinden: A bill for an act entitled: "An act increasing the salary of the Commissioner of Agriculture and making the Commissioner of Agriculture responsible to the Governor; creating agriculture advisory boards in the areas of livestock, poultry, dairy, grains and horticulture; establishing divisions of administrative services, plant industry, animal industry and marketing in the Department of Agriculture; abolishing the Montana Livestock Commission, the Livestock Sanitary Board, the Milk Control Board, the State Board of Food Distributors, the Montana Trade Commission and the Agriculture and Livestock Council and transferring the powers and duties of these agencies to the Commissioner of Agriculture or the Department of Agriculture and transferring all records and property of these agencies to the Department of Agriculture by amending sections 3-102, 3-103, 3-109, 3-2401, 3-2402, 3-2452, 3-2457, 46-104, 46-105, 46-203,

46-205, 46-206, 46-208, 46-209, 46-211, 46-212, 46-213, 46-214, 46-216, 46-217, 46-218, 46-219, 46-220, 46-221, 46-222, 46-224, 46-226, 46-227, 46-228, 46-229, 46-230, 46-231, 46-232, 46-234, 46-235, 46-239, 46-240, 46-241, 46-243, 46-301, 46-302, 46-402, 46-403, 46-404, 46-405, 46-406, 46-407, 46-408, 46-409, 46-410, 46-412, 46-414, 46-415, 46-501, 46-503, 46-506, 46-601, 46-604, 46-609, 46-701, 46-703, 46-704, 46-705, 46-707, 46-709, 46-801, 46-802, 46-803, 46-804, 46-806, 46-902, 46-903, 46-904, 46-906, 46-907, 46-908, 46-909, 46-910, 46-911, 46-912, 46-913, 46-914, 46-915, 46-916, 46-917, 46-918, 46-920, 46-1001, 46-1002, 46-1003, 46-1004, 46-1006, 46-1008, 46-1011, 46-1012, 46-1101, 46-1894, 46-1903, 46-1904, 46-1908, 46-1909, 46-1912, 46-1914, 46-2004, 46-2007, 46-2401, 46-2402, 46-2403, 46-2404, 46-2405, 46-2406, 46-2407, 46-2408, 46-2412, 46-2501, 46-2505, 46-2507, 46-2508, 46-2509, 46-2510, 46-2511, 46-2512, 46-2514, 46-2602, 46-2603, 46-2604, 46-2605, 46-2606, 46-2607, 46-2608, 46-2609, 46-2610, 46-2703, 46-2705, 84-5211, 84-5212, 84-5214, 3-2201, 27-403, 27-405, 27-406, 27-407, 27-408, 27-409, 27-410, 27-411, 27-413, 27-414, 27-415, 27-416, 27-417, 27-418, 27-420, 27-421, 27-422, 27-424, 27-426, 27-427, 27-428, 27-429, 27-301, 27-306, 27-310, 27-311, 27-313, 27-314, 70-202, 70-204, 70-205, 70-209, 70-212, 70-213, 70-215, 70-216, 70-219, 70-220, 70-221, 70-222, 70-223, 70-224, 70-225, 70-226, 70-227, 70-228, 70-229, 70-230, 70-231, 70-232, 94-1116, 51-106, 51-113, 51-114, 51-115, 51-116, 46-207, and 46-1410, R.C.M. 1947, and by repealing sections 3-101, 3-108, 3-109.1, 3-111, 3-112, 3-204, 3-1506, 3-1507, 3-1508, 3-1509, 46-101, 46-102, 46-103, 46-106, 46-201, 46-202, 46-204, 46-242, 46-244, 26-610, 82-2301, 27-404, 27-425, 27-302, 27-303, 27-304, 27-305, 27-307, 27-308, 27-309, 27-315, 70-201, 70-203, 70-233, 82-2901, 82-2902, and 82-2903, R.C.M. 1947."

Motion was made by Anderson (Yellowstone) that the House adjourn until 11:00 a. m., Wednesday, January 4, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 4, 1961

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Second Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 4, introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-2312 of the Revised Codes of Montana, 1947, relating to the Montana state egg seal, to provide for an increase in the

price for such seal, and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture and Irrigation.

House Bill No. 5, introduced by Broeder, Lundgren, Cerovski, Daniels: A bill for an act entitled: "An act to amend section 84-1812 of the Revised Codes of Montana, 1947, relating to the distribution of proceeds of tax-funds and providing for an increase in the annual expenditure for dissemination of public information from eighty-five thousand dollars (\$85,000.00) to one hundred and twenty-six thousand five hundred dollars (\$126,500.00); to repeal section 84-1816 of the Revised Codes of Montana, 1947, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration the motion of the gentleman from Teton, respectfully report as follows: That the motion of the gentleman from Teton be not adopted and move the adoption of the following substitute motion, to-wit: That Rule 1, Section 1 of the Rules of the House be amended in line 2 thereof by inserting after the word "excused" and before the period the following words: "in which case the Journal shall indicate the reason for such absence, whether it shall be due to illness or matters of legislative or personal business."

ANDERSON (Yellowstone),
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration the motion of the gentleman from Hill, respectfully report as follows: That the motion of the gentleman from Hill be not adopted and move the adoption of the following substitute motion, to-wit: That Section 2, Rule 4 of the Rules of the House be amended by inserting in line 8 of Section 2, Rule 4 of the mimeographed copy of said Rules, after the semicolon following the word "thereto" and before the word "provided", the words "provided that after making such correction the Chief Clerk or Engrossing Clerk making the correction shall initial the margin of the corrected house bill, memorial, or resolution at the point of correction; and".

ANDERSON (Yellowstone),
Chairman.

Report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

House Joint Memorial No. 2, introduced by Goan, Wayrynen, Bentz, Abel: A Joint Memorial of the Senate and House of Representatives of Montana to the Congress of the United States, requesting a proposed amendment to the United States Constitution to eliminate the electoral college for election of the President and Vice-President. Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 6, introduced by Nichols: A bill for an act entitled: "An act amending section 59-901, R.C.M. 1947, to provide that the Governor shall fix the salaries of heads of all executive state agencies except

salaries of heads of institutions governed by the board of examiners or board of education, salaries of elected officials and salaries appearing as line items in appropriation bills." Referred to Committee on State Administration.

House Bill No. 7, introduced by Nichols: A bill for an act entitled: "An act to abolish the Montana poultry improvement board and transfer the duties of said board to the commissioner of agriculture by amending sections 3-2201, 3-2202, 3-2204, 3-2205, 3-2207, 3-2209, 3-2211 and 3-2212, R.C.M. 1947, and by repealing section 3-2203, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 8, introduced by Conklin: A bill for an act entitled: "An act to submit to the electors of the State of Montana an amendment to the Constitution of Montana by adding a new section to provide that a county, city and county, city, town or district may, by local option, exempt or limit taxation on real property improvements and personal property if land value taxes are simultaneously increased, notwithstanding any other constitutional provision." Referred to Committee on Ways and Means.

House Bill No. 9, introduced by Bardanouve, Eskildsen: A bill for an act entitled: "An act to eliminate the ex officio capacity as furnishing board of the state board of examiners by amending section 82-1125, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 10, introduced by Bardanouve, Eskildsen: A bill for an act entitled: "An act to abolish the Carey land act board and to transfer any remaining duties and properties of that board to the state board of land commissioners; amending sections 81-2007 and 81-2101, R.C.M. 1947, and repealing sections 81-2001, 81-2002, 81-2003, 81-2004, 81-2005, 81-2011, 81-2012, 81-2013, 81-2014, 81-2015, 81-2016, 81-2017, 81-2102, 81-2103, 81-2104, 81-2105, 81-2106, 81-2107, 81-2108, 81-2109, 81-2110, 81-2111, 81-2112, 81-2113, 81-2114, 81-2115, 81-2116, 81-2117, 81-2118, 81-2119, 81-2120, 81-2121, 81-2122, 81-2123, 81-2124, 81-2125, 81-2126, 81-2127, 81-2128, 81-2129, 81-2130, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 11, introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-3616, Revised Codes of Montana, 1947, relating to disbursements from the state public school equalization fund; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 12, introduced by Kvaalen: A bill for an act entitled: "An act to amend section 75-1529, Revised Codes of Montana, 1947, relating to the publication of annual financial statements of school districts by the county superintendent of schools; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 13, introduced by Nichols, Haines, Bardanouve, Hanks, Hazelbaker, Loman, McOmber, Cerovski: A bill for an act entitled: "An act to amend section 59-510, R.C.M. 1947, to provide that salaried state employees shall work a minimum of forty (40) hours a week." Referred to Committee on State Administration.

House Bill No. 14, introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 192, Laws of 1949, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, relating to eligibility requirements for aid to persons having silicosis; to amend section 71-1008, Revised Codes of Montana, 1947, as amended by section 3, chapter 192, Laws of 1949, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955, relating to conformity with acts of the federal government, repealing all acts and parts of

acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 15, introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed six (6) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 16, introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-405 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 155, Laws of 1949, as amended by section 18, chapter 199, Laws of 1951, and as amended by section 3, chapter 71, Laws of 1957, relating to the county share of participation in old age assistance grants, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 17, introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-1206, enacted as section 6, chapter 160 of the Session Laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, as amended by section 10, chapter 71, Laws of 1957, relating to the county share of participation in aid to the permanently and totally disabled grants, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 18, introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-508 of the Revised Codes of Montana, 1947, as amended by section 6, chapter 71, Laws of 1957, relating to the county share of participation in aid to dependent children grants, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 19, introduced by Keller, Crum, Gustafson: A bill for an act entitled: "An act to amend section 71-611 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 155, Laws of 1949, as amended by section 32, chapter 199, Laws of 1951, as amended by section 8, chapter 71, Laws of 1957, relating to the county share of participation in aid to needy blind grants, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 20, introduced by Haines, Bradford, Blewett, Cerovski, Anderson (Yellowstone), Haughey, Murray, Jensen (Lake), Daniels, Jensen (Mineral), Bush, Page, Lucas, Reed, Stearns, Stimatz, Conklin, Loman: A bill for an act entitled: "An act to amend section 93-302, R.C.M. 1947, as amended by chapter 161, Laws of 1959, relating to the number of judges in each of the judicial districts; providing that there shall be three judges in the fourth judicial district on and after July 1, 1961, providing for appointment and election of such third judge, and deleting obsolete matter relating to selection of judges in other districts in former years." Referred to Committee on Judiciary.

Motion was made by Anderson (Yellowstone) that the House adjourn until 11:00 a. m., Thursday, January 5, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 5, 1961

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 1 and 2, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Page that House Bill No. 8 be taken from the Committee on Ways and Means and referred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Anderson (Yellowstone) that the Rules be suspended by unanimous consent, for the purpose of placing House Bills Nos. 1 and 2 on General Orders this day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 21, introduced by Schwinden and Teigen: A bill for an act entitled: "An act to amend Section 84-4906, R. C. M. 1947, relating to deductions allowed in computing net income for purposes of state income tax; permitting a deduction not exceeding twenty-five dollars (\$25) in any calendar year for contributions made to political candidates, political organizations or bona fide political parties." Referred to Committee on Ways and Means.

House Bill No. 22, introduced by Kvaalen, Kolar, Barnard: A bill for an act entitled: "An act relating to the membership, powers and duties of the state board of education; to provide for its composition and organization, for removal of members, for meetings, to vest the board with the general control and supervision of certain state institutions, and to repeal Sections 75-101, 75-102, 75-103, 75-104, 75-105, 75-106 and 75-302, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 23, introduced by Hanks and Nichols: A bill for an act entitled: "An act requiring trading stamp companies or merchants to redeem trading stamps in cash in amounts aggregating twenty-five cents (25¢) or over of the cash value stated thereon." Referred to Committee on Ways and Means.

House Bill No. 24, introduced by Spahr: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 6, Article V of the Constitution of Montana; providing for an annual meeting of the Legislative Assembly and deleting obsolete matter relating to the First Legislative Assembly." Referred to Committee on Constitution, Elections and Federal Relations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

McOmber of Teton in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 1 do pass.

That House Bill No. 2 do pass.

McOMBER, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess, subject to the call of the Chair. Motion carried. House recessed.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 1 and 2.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House revert to Order of Business No. 8 for Third Reading of House Bills Nos. 1 and 2. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 1 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 93.

Noes: None.

Not Voting: Mr. Speaker. Total 1.

Absent: None.

Excused: None.

House Bill No. 2 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conk-

lin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent and not voting: None.

Excused: None.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried. House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 13, respectfully reports as follows: That House Bill No. 13 do pass.

WRIGHT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Mr. Speaker: I move that the Speaker obtain from the Attorney General an opinion as to the interpretation of Chapter 223, Session Laws of 1959, particularly with respect to copies of bills sent to constituents as in the previous sessions.

McOMBER.

Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were read first and second times, appropriation measure at length, and referred to committees:

House Joint Memorial No. 3, introduced by Loman, Haines, Mathers, Dykstra, Etchart, Beam, Lundgren: A joint memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the governor of the State of Montana and to the heads of all departments of the state government of the State of Montana relating to a good business climate in the State of Montana. Referred to Committee on Business and Industry.

House Bill No. 25, introduced by Keller, Crum and Gustafson: A bill for an act entitled: "An act to amend section 71-604 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 81, Laws of 1949, as amended by section 3, chapter 157, Laws of 1951, and as amended by section 27, chapter 199, Laws of 1951, relating to eligibility for aid to needy blind, repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 26, introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate one hundred thousand dollars

(\$100,000) for the operation and expenses of the legislative council for the period beginning July 1, 1961 and ending June 30, 1963." Referred to Committee on Appropriations.

House Bill No. 27, introduced by Haughey, Laas, Sullivan (Silver Bow), Gustafson, Hawks, Anderson (Yellowstone), Loman, Cerovski: A bill for an act entitled: "An act to amend section 87-103, Revised Codes of Montana, 1947, as amended by section 1 of chapter 140, Laws of Montana 1957, section 87-104, Revised Codes of Montana, 1947, as amended by section 3 of chapter 140, Laws of Montana, 1957, section 87-105, Revised Codes of Montana, 1947, as amended by section 2 of chapter 140, Laws of Montana 1957, section 87-106, Revised Codes of Montana, 1947, as amended by section 1 of chapter 171, Laws of Montana 1957, section 87-109, Revised Codes of Montana, 1947, as amended by section 3 of chapter 171, Laws of Montana 1957, section 87-120, Revised Codes of Montana, 1947, section 87-128, Revised Codes of Montana, 1947, as amended by section 7 of chapter 171, Laws of Montana 1957, section 87-139, Revised Codes of Montana, 1947, section 87-145, Revised Codes of Montana, 1947, as amended by section 7 of chapter 164, Laws of Montana 1955, section 87-149, Revised Codes of Montana, 1947, as amended by section 12 of chapter 171, Laws of Montana 1957, section 87-152, Revised Codes of Montana, 1947, and to repeal section 87-144, Revised Codes of Montana, 1947, all of which sections are a part of and pertain to the unemployment compensation law; by providing for new bracketing in the determination of high quarter wages in the benefit schedule and eliminating certain steps of such schedule; by increasing the minimum weekly benefits amounts; by increasing the maximum weekly benefit amounts; by providing for variable and increased duration of benefits; by providing for a one-week waiting period; by changing the provisions relative to disqualification for benefits; increasing the average annual contribution on taxable payrolls to 1.5 per centum; reducing the minimum trust fund balance below which all employer tax rates will automatically become 2.7 per centum and reducing the required amount necessary in the trust fund before employer tax rates will again be based upon experience rating; allowing abatement of certain charges to employer accounts by reason of benefits paid; correcting ambiguous wording; revising the period of time to be reported in the annual report of the commission to the governor covering the administration and operation of the unemployment compensation law and the date such report shall be submitted; requiring commission cooperation with the secretary of labor in administering acts of congress to pay unemployment compensation benefits to federal employees, veterans and ex-service personnel of the armed forces of the United States; repealing section 87-144 which provides for payment of state unemployment compensation benefits to certain ex-servicemen of the armed forces of the United States; revising the period of time within which the commission may issue a certificate and lien against any employer for failure to pay contributions due; amending the penalties for false statements or willful non-disclosures; revising the definition of 'total unemployment'; providing a definition for 'gross misconduct'; entering the name of the proper federal agency in section 87-152; providing a savings clause; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 28, introduced by Leuthold and Aasheim: A bill for an act entitled: "An act to amend section 75-3611, Revised Codes of Montana, 1947, relating to the foundation program; defining terms; providing for determining average number belonging; providing for reopening a closed school; providing for opening a new school; containing a repealing clause; and fixing an effective date." Referred to the Committee on Education.

House Bill No. 29, introduced by Page, Haines, Johnson, Lucas, Lord, Wayrynen, Picard, Bush: A bill for an act entitled: "An act relating to the acquisition, erection, equipment, enlargement, and improvement of residence halls and other self-financing facilities at state institutions of higher education; providing for the financing and management thereof; and

repealing sections 75-201 to 75-206, inclusive, of the Revised Codes of Montana, 1947." Referred to Committee on Education.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Friday, January 6, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk

FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 6, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Pierce and Melcher who were excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do pass.

KELLER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 5, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 1 by Nichols.

House Bill No. 2 by Nichols.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Joint Memorial No. 4, introduced by Melcher, Harper: A joint memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Senator Mike Mansfield of Montana; Senator Lee Metcalf of Montana; Congressman Arnold Olsen of Montana; Congressman James Battin of Montana; the committee on interstate and foreign commerce of the United States Senate; the committee on interstate and foreign commerce of the United States House of Representatives; the interstate commerce commission; opposing the merger of the Northern Pacific, the Great Northern, the Burlington and the Spokane, Portland and Seattle railroads; and opposing the abandonment of passenger service on the Milwaukee railroad and on the Great Falls-Butte line of the Great Northern railroad. Referred to Committee on Business and Industry.

House Joint Memorial No. 5, introduced by Murray, Lundgren, Rygg, Jensen (Lake), Lord, Broeder, Seymour, Reed: A Joint Memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the President of the United States; to the congress of the United States; to Senators Mike Mansfield and Lee Metcalf and to Congressmen James F. Battin and Arnold Olsen; requesting the president, congress of the United States and the Montana congressional delegation to enact and approve enabling legislation which will authorize and direct the district director of internal revenue in each state to retain ten (10%) per cent of the federal taxes collected in the respective states to be delivered to collecting departments of each state, and used for education. Referred to Committee on Ways and Means.

House Bill No. 30, introduced by Cerovski and Moudree: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish and operate additional wings to the

home for senile men and women; authorizing the board of examiners to employ architects to design said additional wings to said home, and authorizing the board of examiners to advertise and call for bids for the construction of said additional wings; authorizing the board of examiners to purchase out of any remaining moneys, furnishings for said additional wings and the employment of help to operate and maintain the same; providing for an effective date of act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 31, introduced by Bentz and Weeks: A bill for an act entitled: "An act to amend section 53-501, R. C. M. 1947, relating to color of state-owned vehicles—vehicles in service of the governor and other state departments; excepting vehicles of the state highway commission and the Montana highway patrol, relating to color; specifying location and size of lettering; deleting provision which requires vehicles to be chrome yellow color; authorizing state controller to determine color of vehicles except in cases of vehicles purchased for state highway commission and state highway patrol; requiring vehicles to be lettered on deck lid; repealing all acts or parts of acts in conflict herewith; providing effective date of act." Referred to Committee on Highways.

House Bill No. 32, introduced by Bentz and Weeks: A bill for an act entitled: "An act to amend section 53-504, R. C. M. 1947, relating to the power and authority of the governor to formulate rules and regulations governing the use and operation of state owned vehicles; deleting obsolete vehicle specifications relating to purchase of motor vehicles; providing that new motor vehicles shall be purchased on basis of low bid as per specifications; repealing all acts or parts of acts in conflict herewith; providing effective date of act." Referred to Committee on State Administration.

House Bill No. 33, introduced by Schwinden, Nichols, Bardanoue, Kvaalen, Spahr and Leuthold: A bill for an act entitled: "An act revising chapter 4, title 81, R. C. M. 1947, to change certain requirements and provisions for the leasing of state grazing and agricultural lands by amending sections 81-401, 81-402, 81-405, 81-406, 81-407, 81-413, 81-414, 81-415, 81-419, 81-421, 81-422 and 81-433, R. C. M. 1947, relating to the appraisal of state lands, the placing of improvements on state lands, lease terms and the cancellation of leases on state lands, the processing of applications to lease less than the total acreage leased, and the formula for determining rentals on state grazing lands; and by repealing sections 81-417, 81-432, 81-433.1 and 81-435, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 34, introduced by Haines: A bill for an act entitled: "An act to amend section 75-5003, Revised Codes of Montana, 1947, relating to special education for mentally retarded and physically handicapped children; providing for local provision of special classes; providing for state reimbursement; providing for tuition payments; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 35, introduced by Broeder, Rygg and Picard: A bill for an act entitled: "An act to amend section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the limitation of retail liquor licenses that may be issued by the Montana liquor board, deleting the provisions that veterans' organization and fraternal organizations are not to be governed by such limitations, providing for an effective date of this act, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 36, introduced by Anderson (Yellowstone), Pierce, Schwinden, Judge: A bill for an act entitled: "An act providing that student fees that have been pledged for the liquidation of obligations incurred for the construction of facilities at units of the University of Montana are not tuition, and limiting the use to which such student fees may be put." Referred to Committee on Education.

House Bill No. 37, introduced by Anderson (Yellowstone), Pierce: A bill for an act entitled: "An act authorizing the regents of the University of Montana to construct, finance and control student housing facilities at units of the University of Montana and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205 and 75-206, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 38, introduced by Stearns, Lord, Spahr and Bush: A bill for an act entitled: "An act to amend section 75-2506, Revised Codes of Montana, 1947, relating to revocation and suspension of teachers' certificates for causes including contract violation and containing a repealing clause." Referred to Committee on Education.

House Bill No. 39, introduced by Jensen (Lake), Bradford, Rygg and Bardanouve: A bill for an act entitled: "An act to exempt counties, school districts, cities and towns from the state gasoline tax and to provide for a procedure for obtaining such exemption." Referred to Committee on Highways.

House Bill No. 40, introduced by Anderson (Yellowstone), Loman, Lucas, Burrell, Smith, Haughey, Seymour, Pierce, Reed, Blewett, Hawks: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 2 of article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 41, introduced by Spahr: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests for the purpose of determining the alcoholic content of his blood; by specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; by providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; by providing that the test results shall be made available to the person so tested upon his request; by providing that the consent of a person incapacitated of refusing is not withdrawn; by authorizing the Montana highway patrol board to revoke the license of persons refusing to submit to a chemical test; by providing that law enforcement officers must furnish board with affidavit of refusal; by providing the person whose privilege to drive has been revoked with a hearing before the district court; by providing interpretation of chemical tests; by providing that proof of refusal shall be admissible in any civil or criminal action; by providing that this action shall not limit the introduction of other competent evidence; by providing that other states be notified of their residents' licenses who are revoked in this state; by providing for uniformity of interpretation; by providing for short title; by providing for constitutionality; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act." Referred to Committee on Judiciary.

Motion was made by Anderson (Yellowstone) that the House recess until 12:00 noon this day. Motion carried.

House recessed.

AFTERNOON SESSION

House convened. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 42, introduced by Reed, Johnson, Lucas, Page, Bush, Daniels, Coulter: A bill for an act entitled: "An act for the establishment and maintenance of a joint county youth guidance center home and amending section 62-101, Revised Codes of Montana, 1947, relative to acquiring of lands for youth centers; also amending section 16-1008A, Revised Codes of Montana, 1947, as amended by section 1, chapter 76 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to the erection, furnishing and maintaining of youth centers." Referred to Committee on State Administration.

House Bill No. 43, introduced by Leuthold: A bill for an act entitled: "An act making the issuance of trading stamps unlawful." Referred to Committee on Business and Industry.

House Bill No. 44, introduced by Leuthold, Hanks, Kvaalen, Cerovski, Aasheim, Higham, Melcher, Wright, Etchart, Asbjornson, Edwards: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the State of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the department of agriculture of the State of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the State of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana wheat research and marketing committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half ($2\frac{1}{2}$) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act, and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor; to provide for transfers from such revolving fund to the general fund of the State of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of the state auditor and state treasurer with relation to such funds; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Agriculture and Irrigation.

House Bill No. 45, introduced by Conklin: A bill for an act entitled: "An act amending section 3, Chapter 223, Laws of 1959, compiled as section 43-903, R. C. M. 1947; providing that the Montana Association of the Deaf shall be entitled to one free complete set of the proceedings of the legislature." Referred to Committee on State Administration.

House Bill No. 46, introduced by Bradford, Haines, Page, Hanks, Mernin, Aasheim: A bill for an act entitled: "An act to amend section 23-502 of the Revised Codes of Montana, 1947, relating to registry books and registry cards, to provide for the inclusion of political party affiliation; providing for the declaration of political affiliation and voting at primary elections; providing for registering change of political affiliation; providing for the form of affidavit for change of political affiliation; providing for an elector to retain the same registration number as he had prior to this act; to amend section 23-919 of the Revised Codes of Montana, 1947, relating to arrangement of ballots to conform to the intent of this act; to amend section 23-1402 of the Revised Codes of Montana, 1947, relating to war registration cards, to provide for the inclusion thereon of

the political affiliation; containing a repealing clause and providing an effective date." Referred to Committee on Constitution, elections and Federal Relations.

House Bill No. 47, introduced by Aasheim, Wright, Etchart: A bill for an act entitled: "An act to amend section 82-1504 of the Revised Codes of Montana, 1947, pertaining to the crop lien securing hail insurance by cancelling liens not extinguished in ten years." Referred to Committee on Agriculture and Irrigation.

House Bill No. 48, introduced by Aasheim, Wright and Etchart: A bill for an act entitled: "An act to cancel the tax lien provided for by the hail insurance act where the tax remains uncollectable for ten years." Referred to Committee on Agriculture and Irrigation.

House Bill No. 49, introduced by Reinecke, Bentz, McOmber: A bill for an act entitled: "An act to amend section 32-2157 of the Revised Codes of Montana, 1947, as amended, relating to no passing zones and providing the rules for designating and marking of no passing zones, and prohibiting driving on the left side of any roadway within no passing zones or on the left side of the pavement striping in a no passing zone, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 50, introduced by Broeder: A bill for an act entitled: "An act to amend section 53-129 of the Revised Codes of Montana, 1947, as amended, relating to foreign licensed motor vehicles; providing that owners of such vehicles shall have ten (10) days to register same; providing that Montana motor vehicle reciprocity board may make agreements with other states concerning operation of such vehicles; providing that copy of certificate of registration be forwarded to the state highway commission; providing for membership of Montana motor vehicle reciprocity board; providing for meetings of said board; authorizing intrastate operations of motor vehicles coincidentally with interstate operation when sanctioned by reciprocal agreement; and repealing of all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

Motion was made by Anderson (Yellowstone) that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 1 and 2.

REED, Chairman.

I have examined House Bill No. 1 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 2 introduced by me and find the same to be correct.

NICHOLS.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 1 and 2.

MOTIONS AND RESOLUTIONS

Motion was made by Etchart that House Bills Nos. 47 and 48 be taken from the Committee on Agriculture and Irrigation and referred to the Committee on Townships and Counties. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 51, introduced by Higham: A bill for an act entitled: "An act to amend section 75-4506, Revised Codes of Montana, 1947, providing for the determination of the maximum budget for high schools of school districts maintaining more than one high school; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

House Bill No. 52, introduced by Murray, Broeder, Lundgren, Rygg: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish, equip a new residence hall to replace the old main building on the grounds of the Montana soldiers' home at Columbia Falls, Montana; authorizing the board of managers of said home to employ architects to design the said new residence hall and to remodel the existing dormitory, and authorizing the board of managers to advertise and call for the construction of said new building and remodeling of said dormitory building or buildings, and demolition of old main building; authorizing the said board to purchase out of any remaining monies, furnishings and equipment for said new residence hall; declaring this to be a supplementary appropriation bill and declaring that an emergency exists; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 53, introduced by Blewett, Murray, Loman, Daniels, Haughey, Anderson (Yellowstone), Abel: A bill for an act entitled: "An act providing for the giving of reasonable notice in writing to publisher and reasonable opportunity to correct libelous matter as prerequisite to commencement of action on account of any libelous publication in any newspaper, magazine or periodical; providing what shall constitute a correction of such libelous matter; providing that a correction, published in accordance with the provisions of this act shall constitute a defense against the recovery of any damages except actual damages, provided the publication was made under honest mistake or misapprehension; providing that such correction shall be competent and material in mitigation of actual damages to the extent such correction does so mitigate such damages; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Motion was made by Anderson (Yellowstone) that the House adjourn until 12:00 noon, Monday, January 9, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk

EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 9, 1961

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Cerovski.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifth Legislative Day, find the same to be correct.

HAINES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration recommend the following changes in Legislative Payroll:

Emma Halverson, removed as Stenographer	
Veda Richardson, removed as Stenographer	January 2
John Morgan, from Mimeograph to Proofreading	January 2
Bruce Burris, added to Mimeograph Department	January 3
Marlene D. Murphy, added Stenographer	January 4
Blanch Anne Coleman, added Typist	January 4
Richard E. Davis, added Mimeograph	January 4
Ethel Chandler, added Mimeograph	January 4
Emil Banik, added Mimeograph	January 4
Kathleen Stoker, added Mimeograph	January 4
Marie B. Majhor, added Mailing	January 4
Myrtle L. O'Leary, added Mailing	January 4
Norma Rogness, added Mailing	January 4
Beth Sheffels, removed as Stenographer	January 5
Bruce Grimes, added Mimeograph	January 6
Jerry Cowger, added Mimeograph	January 6
Emma Halverson, added as Stenographer	January 9
Robert Hawks, added Mimeograph	January 9
Corinne Mooney, from Assistant Engrossing	January 9
Clerk to Clerk to Judiciary Committee	
Marguerite Wing, from Stenographer to	January 9
Assistant Engrossing Clerk	

Respectfully submitted,

HAZELBAKER, Chairman.

Report adopted.

January 6, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 1 and 2, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:30 o'clock p.m., delivered to the Governor for his approval.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 13, 15, 16, 17, 18, 19, 25, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Mr. Speaker: We, your Committee on Rules and Journal, move to amend Rule No. 34 of the Rules of the House by striking out in its entirety said Rule 34 on page 13 of the mimeographed copy of the said Rules and inserting in lieu thereof the following words and figures, to-wit:

RULE 34

Form of Bills

Every bill, except Appropriation bills and bills for the codification and revision of laws, shall contain but one subject which shall be clearly expressed in the title (Section 23, Article V., Mont. Const.); and no bill shall be altered or amended so as to change its original purpose (Section 19, Article V., Mont. Const.). All bills shall be numbered at the head and foot of Page One thereof. All bills which are amendatory in their nature shall have all new matter added thereto set out in italics and where any

matter has been deleted there shall be shown at the place from which the deleted matter has been taken the following: "(matter deleted)".

The enacting clause of every bill shall be as follows: "Be it enacted by the Legislative Assembly of the State of Montana." (Section 20, Article V.)

All bills upon introduction shall be presented to the Clerk in quadruplicate. The lines in the body of the printed bill shall be numbered consecutively by sections.

This rule shall not suspended.

JEROME ANDERSON, Chairman.

Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 6, introduced by Nichols, Hawks, Loman, Jensen (Lake), Kvaalen, Bardanouve, Anderson (Yellowstone), Beam: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Congress of the United States to the Honorable Mike J. Mansfield and Lee Metcalf, United States Senators of Montana, and to the Honorable James F. Battin and Arnold H. Olsen, Representatives in Congress from Montana, and to the Secretary of Agriculture of the United States, requesting extension of the Sugar Act of 1948, as amended. Referred to Committee on Agriculture and Irrigation.

House Bill No. 54, introduced by Spahr: A bill for an act entitled: "An act to amend sections 43-103 and 43-104, R.C.M. 1947, relating to the number of representatives from each county by increasing in certain instances the number of representatives from some counties." Referred to Committee on Constitution, Elections and Federal Relations.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a.m., Tuesday, January 10, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 10, 1961

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

January 6, 1961.

Honorable Clyde L. Hawks
Speaker of the House of Representatives
State Capitol
House Chambers

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 1—Introduced by Nichols.

House Bill No. 2—Introduced by Nichols.

Yours sincerely,

DONALD G. NUTTER,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that House Bill No. 31 be taken from the Committee on Highways and referred to the Committee on State Administration. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Joint Resolution No. 1, introduced by Schwinden, Bardanouve: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study the earmarking of revenue, the fund structure and the system of accounts of the State of Montana and to report its recommendations to the Thirty-eighth Legislative Assembly. Referred to Committee on State Administration.

House Bill No. 55, introduced by Barnard: A bill for an act entitled: "An act to amend section 75-3414 of the Revised Codes of Montana, 1947, as amended by chapter 189 of 1951 Montana Session Laws, relating to budgets and levies for transportation for various types of school districts and providing that a reserve fund shall be included as a part of such transportation budgets to provide funds for maintaining transportation service from July 1 to November 30 of the next succeeding school year and limiting the size of such reserve fund." Referred to Committee on Education.

House Bill No. 56, introduced by Hibbard, Gustafson: A bill for an act entitled: "An act to provide for issuance of travel permit certificate for registered purebred show cattle being transported for show purposes." Referred to Committee on Livestock and Ranges.

House Bill No. 57, introduced by Hibbard, Gustafson: A bill for an act entitled: "An act to amend section 46-1005 of the Revised Codes of Montana, 1947, by enlarging the definition of an estray to include sheep." Referred to Committee on Livestock and Ranges.

House Bill No. 58, introduced by Reinecke: A bill for an act entitled: "An act changing the dates for assessment and equalization of property and the budget system; amending sections 84-406, 84-409, 84-410, 84-441, 84-503, 84-510, 84-601, 84-3808, 84-3809, 84-4209, 84-6012, 84-6013, 16-1903, 16-1904, 75-1705, 75-1706, 75-1708, 75-1710, 75-1712, 84-4005, 84-4006, and 84-4007, R.C.M. 1947, to make January 1 the assessment date, to have the assessor complete his assessment book by the

third Monday in June, to have the county boards of equalization meet the fourth Monday in June, to have the county commissioners adopt preliminary budgets by the third Monday in June and final budgets by the third Monday in July, to have the county assessor compute taxes and return assessment books to county clerks by the third Monday in September, to have county clerks deliver assessment books to county treasurers by the fourth Monday in September, to have school preliminary budgets approved by the second Monday in June, to have school final budgets approved by the second Monday in July, and to implement these changes where necessary in related statutes." Referred to Committee on Townships and Counties.

House Bill No. 59, introduced by Leuthold, Kolar, Pierce: A bill for an act entitled: "An act to amend section 32-2144, R.C.M. 1947, as enacted by section 41, chapter 263, Laws of 1955, relating to speed restrictions and basic rule for speed; establishing a basic daylight speed limit; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Highways.

House Bill No. 60, introduced by Leuthold, Thompson: A bill for an act entitled: "An act to amend section 53-427, R.C.M. 1947, relating to the custody, disposition and return of security posted in compliance with safety responsibility provisions; providing that after five (5) years unclaimed deposits shall be transferred to the state general fund; repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 61, introduced by Conklin, Broeder: A bill for an act entitled: "An act to amend section 41-802 of the Revised Codes of Montana, 1947, pertaining to the establishment of the bureau of vocational rehabilitation by changing the name." Referred to Committee on State Administration.

House Bill No. 62, introduced by Wright, Higham, Bentz, Kolar, Hawks, Lewis, Leuthold, Stranahan: A bill for an act entitled: "An act to amend section 84-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 88 of the Laws of 1957, relating to classification of taxable property in Montana; providing for removal of livestock, poultry and the unprocessed products of both from class three classification and including same in class two classification; containing a repealing clause." Referred to Committee on Ways and Means.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Wayrynen of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 13 do pass.

That House Bill No. 15 do pass.

That House Bill No. 16 be amended in section 1 by substituting the following for line 10 of the printed bill, which is line 23 of the original bill: "(leted). Such reimbursements shall be credited to the old-age assistance account of the state department. (matter deleted)."; and as amended, do pass.

That House Bill No. 17 be amended in the title of the printed bill by correcting the spelling of the word "THIRTY" in line 3;

That House Bill No. 17 be amended further, in section 1, by substituting the following for line 10 of the printed bill, which is line 23 of the original bill: "ter deleted). Such reimbursements shall be credited to the aid to the permanently and totally disabled account of the state department. (matter deleted)."; and as so amended, do pass.

That further consideration of House Bill No. 18 be passed for the day.

That House Bill No. 19 be amended in section 1 by substituting the following for line 10 of the printed bill, which is line 22 of the original bill: "of the federal share (matter deleted). Such reimbursement shall be credited to the aid to needy blind account of the state department. (matter deleted)"; and as amended, do pass.

That House Bill No. 25 do pass.

WAYRYNEN, Chairman.

Report adopted.

Anderson (Yellowstone) quoted from an opinion requested from the attorney general as to the interpretation of chapter 223, Session Laws of 1959, particularly with respect to copies of bills sent to constituents:

"The custom of your assembly of mailing printed copies of bills to legislators' lists, on its face, promotes the objective of giving widespread notice to pending legislation and is consonant with the spirit of representative government.

My opinion then is that the law does not prohibit the mailing of printed bills by the Sergeant-at-Arms to addresses furnished by the individual legislator."

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 2, introduced by Bardanouve, Eskildsen: A Joint Resolution of the Senate and House of Representatives requesting the Legislative Council to study the laws relating to the conservation and development of the natural resources of the State of Montana and to recommend a plan under which an integrated state policy for the development and conservation of natural resources may be realized. Referred to Committee on State Administration.

House Joint Resolution No. 3, introduced by Haines: A Joint Resolution of the Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the creating of representation in the electoral college to the District of Columbia. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 63, introduced by Bardanouve, Schwinden: A bill for an act entitled: "An act creating a department of natural resources to develop an integrated state policy for the conservative use and orderly development of the natural resources of the state; placing the department under the supervision of a commissioner of natural resources to be appointed by the Governor, to serve at the pleasure of the Governor and to be responsible to the Governor; abolishing the state water conservation board, the Montana grass conservation commission, the state soil

conservation committee and the council on natural resources and development and transferring the powers and duties of these agencies to the department of natural resources; providing that the state engineer shall be appointed by the commissioner of natural resources; changing the membership of the state planning board; and amending sections 89-101, 89-102, 89-104, 89-105, 89-106, 89-107, 89-108, 89-109, 89-111, 89-112, 89-113, 89-114, 89-115, 89-116, 89-116.2, 89-117, 89-118, 89-119, 89-120, 89-121, 89-122, 89-123, 89-124, 89-125, 89-126, 89-127, 89-131, 89-132, 89-133, 89-134, 89-135, 89-136, 89-137, 89-138, 89-140, 89-401, 89-402, 89-1001, 89-847, 89-848, 89-849, 89-851, 81-2006, 76-103, 76-104, 76-105, 76-106, 76-107, 76-111, 76-114, 76-115, 76-117, 46-2301, 46-2302, 46-2307, 46-2308, 46-2309, 46-2310, 46-2311, 46-2312, 46-2313, 46-2314, 46-2315, 46-2316, 46-2317, 46-2322, 46-2323, 46-2325, 46-2318, 46-2331, 46-2332, 89-302; and repealing sections 89-103, 89-133, 89-403, 46-2303, 46-2304, 46-2305, 46-2306, 82-3001, 82-3002 and 82-3003, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 64, introduced by Schwinden, Nichols, Harper, Shelden, Edwards, Lewis, Kvaalen: A bill for an act entitled: "An act to amend sections 43-103 and 43-104, R.C.M. 1947, to provide for the reapportionment of the House of Representatives in accordance with the 1960 census and a new formula." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 65, introduced by Aasheim, Beam, Eskildsen: A bill for an act entitled: "An act to permit the governing body of any political subdivision of the State of Montana, county, city, town, school district, high school district, or county high school within the State of Montana, to require the officer in charge of funds to the credit of said political subdivision to invest surplus funds in short term obligations of the United States of America, or in savings accounts or certificates of deposit in insured banks within the State of Montana; repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 66, introduced by Spahr, Aasheim, Haines, Rosell, Reed: A bill for an act entitled: "An act to amend sections 75-2516 and 75-2518 of the Revised Codes of Montana of 1947, as amended by chapter 187, Laws of 1959, relating to classes of certificates for teaching and providing that after July 1, 1962, applicants for elementary provisional certificates must have completed a four-year college program and hold a bachelor's degree, and containing a repealing clause." Referred to Committee on Education.

House Bill No. 67, introduced by McOmber, Pierce, Lewis: A bill for an act entitled: "An act to amend section 53-119.1 of the Revised Codes of Montana, 1947, relating to the payment of fees and issuance of special permits on vehicles engaged in a single movement on the public highways of this state; providing for the fees for issuance of special permits; providing that such permits be for the transit of the vehicle only and for one (1) transit only; providing that the special permits shall be issued by the county treasurer; providing that personal property taxes must be paid before any permit shall be issued; providing that the fees collected under this act shall belong to the general road fund of the county; providing that furnishings of mobile house trailers may be moved under such permits; providing for a penalty; providing for the effective date of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 68, introduced by Lucas, Beam, Haines, Bush, Bradford, Reed, Page: A bill for an act entitled: "An act to amend section 53-122 of the Revised Codes of Montana, 1947, as amended by chapter 41 of the Session Laws of the Thirty-fourth Legislative Session, 1959, relating to registration fees of motor vehicles, fees therefor, disposal of the proceeds of such fees, including dealers registration and transfer thereof, providing for exemption for public owned vehicles; license or registration fee for trailers, house trailers, semi-trailers and tractors, definition for

same; providing for transfer of funds from the motor vehicle fund of the registrar of motor vehicles to the motor vehicle recording fund or motor vehicle administrative fund; providing for deposit of all fees, other than license fees, except dealer license fees, collected by the registrar of motor vehicles, in said motor vehicle recording fund for the payment of expenses of the maintenance and operation of the department of the registrar of motor vehicles; providing for the crediting of license or registration fees by the county treasurers to the motor vehicle license fund of the county; providing for the use of such fund; providing fifty (50) per cent of the net license fees derived from owners residing within the boundaries of incorporated cities and towns to be held by the county treasurer, segregated from other county road funds and designated as "municipal road fund," to be used in the incorporated cities and towns for construction, repair and maintenance of streets in such cities and towns; providing the balance of such net fees to be transmitted to the county treasurer of the county from which the registration fee came, to be used by said county for construction, repair and maintenance of public highways except state and federal highways within the county; amending said section by including all incorporated cities and towns in the distribution of the net license fee returns in place of cities of population of thirty-five thousand (35,000) or more persons living in or within a radius of one (1) mile thereof, or cities having a population of ten thousand (10,000) or more and situate in a county which has an area of less than seven hundred fifty (750) square miles; repealing all acts or parts of acts in conflict herewith; providing for an effective date." Referred to Committee on Highways.

House Bill No. 69, introduced by Haines: A bill for an act entitled: "An act repealing the so-called chain store license tax and other statutes relating to the application for a state store license by repealing sections 84-2401, 84-2402, 84-2403, 84-2404, 84-2405, 84-2406, 84-2407, 84-2409, 84-2410, 8-2411, 84-2412 and 84-2413, R.C.M. 1947." Referred to Committee on Ways and Means.

House Bill No. 70, introduced by Wayrynen: A bill for an act entitled: "An act to lower the age qualifications of embalmers and funeral directors by changing the age qualifications of embalmers and funeral directors from twenty-one (21) years to nineteen (19) years, by amending sections 82-703 and 82-704, R. C. M. 1947." Referred to Judiciary Committee.

House Bill No. 71, introduced by Hall, Harper: A bill for an act entitled: "An act to amend sections 66-505, 66-510, 66-512, 66-513 and 66-515, Revised Codes of Montana, 1947, relating to fees for application to practice chiropractic, fees for restoration of license, fees for renewal of license, per diem and mileage, fees for reciprocal license, and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 72, introduced by Leuthold: A bill for an act entitled: "An act to amend section 32-2174, of the Revised Codes of Montana, 1947, as amended providing that the state highway commission shall specify the color, size, shape, and legend of yield signs; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 73, introduced by Barnard, Kvaalen: A bill for an act entitled: "An act providing for the administration and supervision of the University of Montana and repealing sections 75-107, 75-301, 75-303, 75-304, 75-305, 75-306, 75-307, 75-308, 75-309, 75-310, 75-311, 75-312, 75-401, 75-402, 75-402.1, 75-403, 75-403.1, 75-404, 75-405, 75-406, 75-407, 75-408, 75-409, 75-410, 75-411, 75-412, 75-413, 75-414, 75-415, 75-416, 75-502, 75-505, 75-506, 75-506.1, 75-507, 75-508, 75-509, 75-512, 75-515, 75-602, 75-603, 75-702, 75-902, 75-904, 75-905, 75-906, 75-907, 75-1003, 75-1007, 75-1103 and 75-1104, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 74, introduced by Barnard: A bill for an act entitled: "An act relating to powers of the state board of education over public schools; providing that the board has power to prescribe general policies for the supervision of public schools, to prescribe the use of courses of study, to prescribe standards of promotion for high schools and to accredit high schools by amending sections 75-1302 and 75-1311, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 75, introduced by Reed, Haines, Aasheim, Page, Barnard, Kvaalen, Twedt, Spahr, Rosell: A bill for an act entitled: "An act to amend section 75-3611 of the Revised Codes of Montana of 1947, relating to definitions used in the school foundation financial programs and providing that a known increase in ANB shall be allowed for budget purposes subject to reduction to actual increase on or before the first day of October by the county superintendent of schools, and containing a repealing clause." Referred to Committee on Education.

House Bill No. 76, introduced by Schye, Laas, Healy, Asbjornson, Moudree: A bill for an act entitled: "An act to repeal section 16-1621, Revised Codes of Montana, 1947, relating to the payment of contracts for the construction and maintenance of improvements in rural improvement districts; to amend section 16-1620, Revised Codes of Montana, 1947, relating to the form and terms and use of bonds and warrants of rural improvement districts; providing that the bonds and warrants of rural improvement districts shall be sold by the board of county commissioners to the highest and best bidder and payment of contracts of rural improvement districts made from the proceeds of such sale of bonds and warrants; prescribing the procedure to be followed in connection with the sale of such bonds and warrants; repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 77, introduced by Mathers, Bush: A bill for an act entitled: "An act to amend section 26-201 of the Revised Codes of Montana, 1947; as amended by section 1, chapter 37, Laws of 1949; as amended by section 1, chapter 36, Laws of 1951; as amended by section 1, chapter 121, Laws of 1951; as amended by section 1, chapter 19, Laws of 1953; as amended by section 1, chapter 34, Laws of 1959; relating to definitions of game and nongame birds, and other terms used in the fish and game statutes to provide for placing mourning doves on the migratory game bird list." Referred to Committee on Fish and Game.

House Bill No. 78, introduced by Higham: A bill for an act entitled: "An act to amend section 75-1620, Revised Codes of Montana, 1947, relating to the expenses of election; and containing a repealing clause." Referred to Committee on Education.

Motion was made by Reed of Missoula that by unanimous consent of the House her name be added to those appearing on House Bill No. 29. There being no objection, the name of the lady from Missoula will be added to those appearing on said bill.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Wednesday, January 11, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 11, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, excused because of illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following changes in the Legislative Payroll:

Dale Richard Pugh, added Janitor

Floyd Halvorsen, added Janitor

Dorothy J. Smith, added Proofreader

Henry Flatow, added Mailing

HAZELBAKER, Chairman.

Report adopted.

January 10, 1961

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 13, 15, 16, 17, 19, 25.

REED, Chairman.

January 10, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 14, beg leave to report that the same has this date been returned from the printer correctly printed.

REED, Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That House Joint Memorial No. 1 do not pass.

LOMAN, Chairman.

Motion was made by Dykstra that the committee report be adopted.

Substitute motion was made by Bradford that House Joint Memorial No. 1 be printed and placed on General Orders. Request was made for a roll call vote on the substitute motion, the results thereof to be spread on the Journal. There being ten seconds, a roll call vote was taken, and the substitute motion failed to carry.

For: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Gustafson, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 36.

Against: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg,

Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 56.

Not Voting: Edwards. Total 1.

Excused: Etchart. Total 1.

The original motion for adoption of the committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 3, respectfully report as follows: That House Joint Memorial No. 3 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Legislative Administration Committee, beg to submit the following list indicating the number of miles traveled by the following members of the House of Representatives and the sums due them therefor, for the session of the Thirty-seventh Legislative Assembly convening January 2, 1961:

Name	Miles	Amount
Aasheim, Magnus	1060 @ .07	\$ 74.20
Abel, Keith C.	408 "	28.56
Adams, Ed. Jr.,	380 "	26.60
Anderson, Jerome	488 "	34.16
Anderson, John H., Jr.	240 "	16.80
Asbjornson, J. O.	460 "	32.20
Baldwin, Florian	420 "	29.40
Bardanoue, Frances	502 "	35.14
Barnard, Lloyd	668 "	46.76
Bashor, Leonard G.	426 "	29.82
Beam, W. R.	488 "	34.16
Bentz, C. C.	1000 "	70.00
Blewett, Alex, Jr.	190 "	13.30
Bradford, Truman G.	200 "	14.00
Brenner, Paul E.	54 "	3.78
Broeder, Fred O., Jr.	480 "	33.60
Burrell, F. O.	324 "	22.68
Bush, William H.	240 "	16.80
Cerovski, Charles	382 "	26.74
Conklin, Russel	190 "	13.30
Coulter, Kenneth A.	660 "	46.20
Crum, Forrest H.	488 "	34.16
Daniels, M. K.	112 "	7.84
Edwards, Kenneth	852 "	59.64
Emmons, John	196 "	13.72
Eskildsen, Leslie	600 "	42.00
Etchart, Mark S.	720 "	50.40
Falkenstern, Arnold H.	880 "	61.60
Goan, William S.	488 "	34.16
Gustafson, Raymond W.	300 "	21.00
Haines, Tom	240 "	16.80
Hall, Lester	252 "	17.64
Hanks, Virgil	230 "	16.10
Harper, Warren W., Sr.	252 "	17.64
Haughey, James M.	488 "	34.16
Hawks, Clyde L.	650 "	45.50

Hazelbaker, Frank W.	230	"	16.10
Healy, John E.	132	"	9.24
Higham, Weldon O.	575	"	40.25
Hilling, Henry B.	480	"	33.60
Jenkins, L. V. Jr.	606	"	42.42
Jensen, Arthur N.	360	"	25.20
Jensen, Millo	360	"	25.20
Johnson, Helen C.	202	"	14.14
Keller, Dr. M. F.	190	"	13.30
Kolar, Ed	290	"	20.30
Kvaalen, Oscar S.	956	"	66.92
Laas, Walter	428	"	29.96
Leuthold, John H.	456	"	31.92
Lewis, Joe H.	408	"	28.56
Loman, Ray M.	360	"	25.20
Lombardi, Jerry	132	"	9.24
Lord, Howard H.	210	"	14.70
Lucas, Donald G.	240	"	16.80
Lundgren, Conrad F.	480	"	33.60
Mathers, W. L.	800	"	56.00
McOmber, W. Gordon	190	"	13.30
Melcher, J. D.	608	"	42.56
Mernin, Henry	132	"	9.24
Moudree, Henry L.	88	"	6.16
Murray, Marshall H.	480	"	33.60
Nelstead, T. E.	800	"	56.00
Nichols, Norris	310	"	21.70
Page, Winfield E.	240	"	16.80
Picard, Edward	132	"	9.24
Pierce, John H.	488	"	34.16
Raundal, R. S.	488	"	34.16
Reed, Bess R.	240	"	16.80
Regan, Leonard D.	200	"	14.00
Reinecke, Fred W.	1000	"	70.00
Rosell, Antoinette F.	488	"	34.16
Rygg, Sterling	510	"	35.70
Schwinden, Ted	868	"	60.76
Schye, Elmer	148	"	10.36
Seymour, L. G.	190	"	13.30
Sheldon, Arthur H.	650	"	45.50
Smith, Carl M.	860	"	60.20
Spahr, William E.	190	"	13.30
Spilde, Gene	320	"	22.40
Stearns, Wesley W.	384	"	26.88
Stimatz, Lawrence G.	132	"	9.24
Stranahan, C. G.	270	"	18.90
Sullivan, Earl R.	196	"	13.72
Sullivan, Tim J.	132	"	9.24
Swanz, E. A.	272	"	19.04
Teigen, Palmer E.	930	"	65.10
Thompson, John N.	202	"	14.14
Twedt, Gordon R.	508	"	35.56
Wayrynen, Ray J.	132	"	9.24
Weeks, S. A., M. D.	940	"	65.80
Wright, J. Stewart	836	"	58.52

HAZELBAKER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker be authorized to appoint a Necrology Committee consisting of five members to memorialize those former members of this legislative body who have died during the past two years. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times and referred to committees:

House Joint Memorial No. 7, introduced by Murray, Rygg, Lundgren, Broeder, Shelden: A Joint Memorial by the House of Representatives and the Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the President of the United States; to the Congress of the United States; to Senators Mike Mansfield and Lee Metcalf and to Congressmen James F. Battin and Arnold Olson; requesting the President, Congress of the United States and the Montana Congressional Delegation to make available funds for the construction of Libby dam and furthermore to reserve the power therefrom for Montana so that Montana may share in the power with the downstream states to assure Montana a plentiful supply of power for new and growing industries located in Montana. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 79, introduced by Coulter, Bush: A bill for an act entitled: "An act to amend section 26-307 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 158, Laws of 1955; relating to waste of fish or game, hunting or fishing during closed seasons, killing more than one game animal, exceptions—to provide that these provisions do not apply to black and brown bear in addition to grizzly bear." Referred to Committee on Fish and Game.

House Bill No. 80, introduced by Conklin, Haughey: A bill for an act entitled: "An act to amend sections 11-1701, 11-1702, and 11-1704, of the Revised Codes of Montana, 1947, relating to municipal courts—cities where creation authorized—adoption of provisions concerning, jurisdiction, and qualifications and salary of municipal judges, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 81, introduced by Wayrynen, Abel: A bill for an act entitled: "An act to amend section 78-202, Revised Codes of Montana, 1947, relating to the purpose and use of the Montana Veterans and Pioneers Building, by providing for the use of same by World War I veterans, of Montana, and containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 82, introduced by Haines, Shelden, Weeks: A bill for an act entitled: "An act to amend section 44-127, R.C.M. 1947, relating to creation of the state library extension commission; to amend section 44-128, R.C.M. 1947, relating to employment by the state library extension commission of its employees; and to amend section 44-129, R.C.M. 1947, relating to powers and duties of the commission." Referred to Committee on State Administration.

House Bill No. 83, introduced by Bush, Seymour, Pierce: A bill for an act entitled: "An act to authorize the state fish and game commission to issue special non-resident black or brown bear licenses, fixing the fees, tagging requirements, and other privileges under such license." Referred to Committee on Fish and Game.

House Bill No. 84, introduced by Judge: A bill for an act entitled: "An act to amend section 32-1607 of the Revised Codes of Montana, 1947, as amended, relating to the employment of personnel by the state highway commission; providing for designation of the organization of such personnel as the Montana highway department; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 85, introduced by Judge: A bill for an act entitled: "An act to amend section 32-1610 of the Revised Codes of Montana relating to the establishment of a maintenance division within the organization

of the Montana highway department subject to the approval and control of the state highway department; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 86, introduced by Blewett, Anderson (Yellowstone), Bradford, Conklin, Murray, Cerovski, Stimatz, Haughey, Daniels: A bill for an act entitled: "An act providing for the codification and general revision of the laws relating to rules of pleading, practice and procedure in civil cases in the courts of the State of Montana for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; providing for an effective date of this act; repealing the following sections of the Revised Codes of Montana, 1947: section 93-2303; section 93-2801; section 93-2805; section 93-2811; section 93-2812; section 93-2816; section 93-2818; section 93-2821; section 93-2822; sections 93-2824 through 93-2826; section 93-2828; section 93-2905; section 93-3003; section 93-3006; section 93-3007; sections 93-3013 through 93-3015; section 93-3017; section 93-3018; sections 93-3101 through 93-3103; sections 93-3201 through 93-3203; sections 93-3301 through 93-3306; section 93-3401; section 93-3402; section 93-3404; section 93-3405; section 93-3408; sections 93-3410 through 93-3412; section 93-3415; sections 93-3501 through 93-3506; sections 93-3601 through 93-3604; section 93-3701; sections 93-3801 through 93-3803; sections 93-3806 through 93-3808; sections 93-3811 through 93-3813; sections 93-3815 through 93-3819; section 93-3820 as amended by chapter 16, Laws of 1953; sections 93-3901 through 93-3905; section 93-3907; section 93-3909; section 93-4120; section 93-4701; sections 93-4703 through 93-4705; section 93-4708; section 93-4709; section 93-4801; section 93-4902; section 93-4904; section 93-4905 as amended by chapter 84, Laws of 1949; section 93-4906; section 93-4908; section 93-4909; sections 93-5012 through 93-5014; subsection (5) of section 93-5101; section 93-5111; section 93-5201; section 93-5202; section 93-5301; section 93-5303; sections 93-5401 through 93-5403; sections 93-5405 through 93-5407; sections 93-5410 through 93-5412; section 93-5502; section 93-5605; section 93-5701; section 93-5703; section 93-8007 as amended by chapter 75, Laws of 1959; sections 93-8008 through 93-8010; section 93-8201; section 93-8301; section 93-8401; section 93-8403; sections 93-8501 through 93-8504; section 93-8507; section 93-8607; section 93-8705; section 93-1501-5; sections 93-1801-1 through 93-1801-3; section 93-1801-4 as amended by chapter 9, Laws of 1953; sections 93-1801-5 through 93-1801-16; section 93-1901-9; sections 93-2301-1 through 93-2301-7; repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 87, introduced by Haines, Emmons, Wayrynen, E. R. Sullivan, Hazelbaker, Page: A bill for an act entitled: "An act amending section 86-701, R.C.M. 1947, enacted as section 1, chapter 232, Laws of 1953, relating to contracts for future funeral services, burial or cremation, and under which personal property will be delivered or services furnished, and providing moneys paid under such contracts, and accruing thereon, shall be placed in trust." Referred to Judiciary Committee.

House Bill No. 88, introduced by Aasheim, Bradford, Nichols, Haines, Lucas, Stranahan, Stimatz, Kvaalen, Judge, Wayrynen, Lord, Baldwin, Loman, Hawks, Higham, Hanks, Daniels: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 9, article XIX of the Constitution of the State of Montana, relating to constitutional amendments, to provide that ten (10) amendments may be submitted at the same election; and containing a repealing clause." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 89, introduced by Dykstra, Haines, Daniels: A bill for an act entitled: "An act to amend section 84-1509, Revised Codes of Montana, 1947, relating to corporation license tax to provide that corporations may, without authorization of the state board of equalization, make a consolidated return." Referred to Committee on Ways and Means.

House Bill No. 90, introduced by Dykstra, Haines, Daniels: A bill for an act entitled: "An act to amend section 40-2821, Revised Codes of Montana, 1947, as enacted by section 66, chapter 286, Laws of 1959, relating to the imposing of licenses, fees, and taxes upon insurers and for the disposition thereof, to provide for an increase in the tax on net premiums received by insurers and to provide a lesser tax on net premiums received by insurers investing their assets in Montana securities." Referred to Committee on Ways and Means.

House Bill No. 91, introduced by Conklin: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 24 of article III of the Constitution of the State of Montana, relating to the power of the Legislative Assembly to enact laws for the punishment of crime by providing that the Legislative Assembly shall not have the power to provide for punishing offenses by death, and repealing all acts and parts of acts in conflict herewith, and providing for the effective date of this act." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 92, introduced by Schwinden: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional status of state and county boards of equalization by deleting specific references in the Constitution to such boards by repealing section 15, article XII and by amending sections 9 and 16, article XII." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 93, introduced by Schwinden: A bill for an act entitled: "An act amending section 84-701, R.C.M. 1947, relating to members of the state board of equalization; to delete reference to the Montana Constitution and to remove certain obsolete language." Referred to Committee on State Administration.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 13 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 90.

Noes: None.

Absent and not voting: Gustafson, Smith, Mr. Speaker. Total 3.

Excused: Etchart. Total 1.

House Bill No. 15 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazel-

baker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright. Total 91.

Noes: Wayrynen. Total 1.

Not voting: Mr. Speaker. Total 1.

Excused: Etchart. Total 1.

House Bill No. 16 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazel-baker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jen-sen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raun-dal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayry-nen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: None.

Excused: Etchart. Total 1.

House Bill No. 17 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazel-baker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jen-sen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raun-dal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: None.

Excused: Etchart. Total 1.

House Bill No. 19 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazel-baker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold,

Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent and not voting: None.

Excused: Etchart. Total 1.

House Bill No. 25 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: Goan, Haughey. Total 2.

Absent and not voting: None.

Excused: Etchart. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Kolar of Judith Basin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 18 be amended in section 1 by substituting the following for line 7 of the printed bill, which is line 18 of the original bill: "paid by the state department to persons in the county each month" and by substituting the following for line 8 of the printed bill, which is line 19 of the original bill: "(matter deleted) exclusive of the federal share. These reimbursements shall be credited to the aid to dependent children account of the state department. (matter deleted)";

And as so amended, do pass.

KOLAR, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 94, introduced by Weeks, Lucas, Stimatz, Haines, Emmons, Daniels: A bill for an act entitled: "An act providing for a license for physical therapist, defining physical therapy and other terms; providing for qualifications and examinations; providing for annual renewal of licenses and temporary licenses; providing for a short title; directing that invalidity of part of this act shall not affect or impair the remainder; providing for reciprocity between Montana and other states or territories; containing a repealing clause, and penalties for the violation of this act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 95, introduced by Seymour, Bentz: A bill for an act entitled: "An act to amend section 32-2114, of the Revised Codes of Montana, 1947, as amended defining a certain term used in the act to-wit: "state highway;" repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 96, introduced by Seymour, Bentz: A bill for an act entitled: "An act to amend section 32-2145, of the Revised Codes of Montana, 1947, as amended, providing for the further definition of the word "highway" wherever it may appear in the section by the insertion of the words "state highway" in lieu thereof; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 97, introduced by Seymour, McOmber, Lundgren: A bill for an act entitled: "An act to amend section 32-2142(2) R.C.M. 1947, as enacted by section 39, chapter 263, Laws of 1955, as amended by section 1, chapter 194, Laws of 1957, relating to persons operating motor vehicles while under the influence of intoxicating liquor or of drugs; providing for the use of chemical analysis of blood, urine, breath or other bodily substance to measure degree of intoxication of drivers; providing that milligrams of alcohol per one hundred (100) milligrams of blood shall be basis of per cent of alcohol in the blood; providing concurrent jurisdiction over violations occurring within the limits of municipalities, pertaining, respectively to driving while intoxicated; providing for the imposition of fines and penalties by municipalities for such violations; deleting that portion of section which authorizes the board to issue restricted license; repealing section 32-2142 (1) as enacted by section 39, chapter 263, Laws of 1955, as amended by section 3, chapter 201, Laws of 1957 and all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 98, introduced by Seymour, McOmber, Lundgren: A bill for an act entitled: "An act to amend section 31-124, R.C.M. 1947, relating to definition of suspension, revocation and cancellation; providing exception for persons whose driving privilege is revoked for first offense of driving while under the influence of intoxicating liquor; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Judiciary Committee.

House Bill No. 99, introduced by Seymour, McOmber, Lundgren: A bill for an act entitled: "An act to amend section 31-149, R.C.M. 1947, as amended by section 1, chapter 126, Laws of 1957, relating to period of suspension and revocation; deleting provision which makes an exception to suspension under section 32-1202, R.C.M. 1947; excepting sections 31-148, 53-424 and 53-430, R.C.M. 1947 from the provisions of this section; establishing periods of suspension and revocation for the offense of driving while under the influence of intoxicating liquor or drugs, or combination thereof; repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 100, introduced by Shelden, Stimatz, Mernin, Harper, Barnard, Bradford: A bill for an act entitled: "An act to amend section

87-109, Revised Codes of Montana, 1947, as last amended by chapter 171, Montana Session Laws of 1957, relating to unemployment compensation fund contributions, restoring contribution rates previously in effect, providing for minimum contributions and restoring experience rating rates; providing fund protection based on fund experience; increasing taxable wages; repealing conflicting acts; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 101, introduced by Shelden, Stimatz, Mernin, Harper, Barnard, Bradford: A bill for an act entitled: "An act to amend sections 87-103, 87-104, and 87-105, Revised Codes of Montana, 1947, as last amended by chapter 140, Montana Session Laws of 1957, relating to unemployment compensation benefits, restoring benefit formula, increasing maximum potential benefit and maximum potential duration, reducing minimum benefits, and restoring benefit eligibility conditions; repealing conflicting acts; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 102, introduced by Haines: A bill for an act entitled: "An act relating to county planning and zoning districts, city and town zoning commissions, and city or city-county planning boards; providing powers and procedures for planning and zoning by creating new sections, by amending sections 16-4103, and 16-4106, R.C.M. 1947, and by repealing sections 11-3852, 11-3858, 16-4102, and 16-4105, R.C.M. 1947, and section 1, chapter 171, Laws of 1959, compiled as section 11-2710, R.C.M. 1947." Referred to Judiciary Committee.

House Bill No. 103, introduced by Kvaalen: A bill for an act entitled: "An act to repeal section 75-4611, Revised Codes of Montana, 1947, relating to restrictions on voting special levies for certain high schools." Referred to Committee on Education.

MOTIONS AND RESOLUTIONS

Motion was made by Wright that House Bill No. 42 be taken from the Committee on State Administration and referred to the Committee on Townships and Counties. Motion carried.

Anderson (Yellowstone) moved that the House adjourn until 10:00 a. m., Thursday, January 12, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

ELEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 12, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart and Barnard, excused because of illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 be amended as follows:

By inserting on page 2 of the original bill, line 18, following the words (matter deleted) the following words: "on the federal highway system of highways in this state selected and designated under the provisions of the federal aid act, approved July 11, 1916, and the federal highway act approved November 9, 1921, and all amendments thereto, and on highways leading from each county seat in the state to said federal highway system of federal aid roads where such county seat is not on said system and on such other roads as have been or may be authorized by the laws of Montana, for the collection and enforcement of this act."

And as amended do pass.

BROEDER, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

January 11, 1961

Honorable Clyde L. Hawks,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

In accordance with Chapter 94-9849, R. C. M. 1947, I submit herewith a complete list of the remissions of fines or forfeitures, reprieves, commutations and pardons recommended by the State Board of Pardons and approved by Governor Aronson since the last previous report was submitted to the Legislature.

Very truly yours,

DONALD G. NUTTER,
Governor.

REPORT OF PARDONS, PAROLES, REMISSION OF FINES
AND COMMUTATION OF SENTENCES

from January 1, 1959 to January 1, 1961

Case No. 2739—James A. Young, who on the 15th day of October, 1952, was sentenced to natural life imprisonment in the Montana state prison for murder in the first degree, was granted commutation of his sentence from natural life to thirty (30) years, March 23, 1959, after a public hearing was held March 14, 1959.

Case No. 2741—Evelyn Donges, who on the 18th day of December, 1951, was sentenced to natural life imprisonment in the Montana state prison for murder in the first degree, was granted commutation of her sentence from natural life to forty (40) years, July 20, 1959, after a public hearing was held June 27, 1959.

Case No. 2742—Tom LaFave, who on the 18th day of December, 1951, was sentenced to natural life imprisonment in the Montana state prison for murder in the first degree, was granted commutation of his sentence from natural life to forty (40) years, July 2, 1959, after a public hearing was held June 27, 1959.

Case No. 2744—Floyd C. London, who on the 16th day of November, 1955, was sentenced to thirty (30) years imprisonment in the Montana state prison for murder in the second degree, was granted commutation of his sentence from thirty (30) years to ten (10) years, September 4, 1959, after a public hearing was held July 18, 1959.

Case No. 2745—Orville Olson, who on the 14th day of May, 1957, was sentenced to twenty-five (25) years imprisonment in the Montana state prison for rape, was granted commutation of his sentence from twenty-five (25) years to eight (8) years, September 4, 1959, after a public hearing was held August 22, 1959.

Case No. 2747—Maurice H. Raymond, who on the 31st day of December, 1957, was sentenced to ten (10) years imprisonment in the Montana state prison for uttering and delivering a fraudulent check, was granted commutation of his sentence from ten (10) years to five (5) years, December 8, 1959, after a public hearing was held November 21, 1959.

Case No. 2748.—Frederick Gordon Olson, who on the 24th day of November, 1958, was sentenced to two (2) years imprisonment in the Montana state prison for manslaughter, which sentence was suspended, was granted commutation of his sentence from two (2) years suspended to six (6) months in the county jail, December 23, 1959, after a public hearing was held December 12, 1959.

Case No. 2749—Richard Losey, who on the 2nd day of November, 1959, was sentenced in justice court to six (6) months imprisonment in the Lewis and Clark county jail for petty larceny, was granted commutation of jail sentence from six (6) months to three (3) months in the county jail, February 3, 1960.

Case No. 2751—H. Homer Seibert, who on the 19th day of October, 1951, was sentenced to three (3) years imprisonment in the Montana state prison for burglary in the first degree, which sentence was suspended, was granted a pardon and restoration of civil rights, February 26, 1960, after a public hearing was held February 20, 1960.

Case No. 2752—Verlin C. Hoffhine, who on the 26th day of September, 1953, was sentenced to fifty (50) years imprisonment in the Montana state prison for rape, was granted commutation of his sentence from fifty (50) years to thirty-five (35) years, April 11, 1960, after a public hearing was held March 26, 1960.

Case No. 2755—Norman Padgett Baulsir, who on the 24th day of No-

vember, 1951, was sentenced to life imprisonment in the Montana state prison for murder in the first degree, was granted commutation of his sentence from life to fifty (50) years, May 5, 1960, after a public hearing was held April 23, 1960.

Case No. 2756—Sidney Allen McSloy, Jr., who on the 26th day of August, 1952, was sentenced to fifty (50) years imprisonment in the Montana state prison for infamous crime against nature, was granted commutation of his sentence from fifty (50) years to forty-five (45) years, May 9, 1960, after a public hearing was held April 23, 1960.

Case No. 2757—Jayne Pryor, who on the 13th day of November, 1951, was sentenced to life imprisonment in the Montana state prison for murder in the second degree, was granted commutation of her sentence from life to fifty (50) years, May 27, 1960, after a public hearing was held May 21, 1960.

Case No. 2758—William Lyonel Greenhalgh, who on the 24th day of November, 1951, was sentenced to fifty (50) years imprisonment in the Montana state prison for assault first degree, was granted commutation of his sentence from fifty (50) years to forty (40) years, June 23, 1960, after a public hearing was held June 18, 1960.

Case No. 2759—Jerry Russell, who on the 15th day of January, 1959, was sentenced to fifteen (15) years imprisonment in the Montana state prison for rape, was granted commutation of his sentence from fifteen (15) years to eight (8) years, June 21, 1960, after a public hearing was held on June 18, 1960.

Case No. 2763—Richard L. Pospisil, who on the 8th day of February, 1956, was sentenced to thirty (30) years imprisonment in the Montana state prison for murder in the second degree, was granted commutation of his sentence from thirty (30) years, to twenty-four (24) years, August 1, 1960, after a public hearing was held on July 23, 1960.

Case No. 2764—Frank D. Montalvo, who on the 13th day of February, 1943, was sentenced to fifty (50) years imprisonment in the Montana state prison for rape, was granted pardon and restoration of civil rights, August 29, 1960, after a public hearing was held on August 20, 1960.

Case No. 2769—William R. Vyvey, who on the 27th day of March, 1958, was sentenced to twenty (20) years imprisonment in the Montana state prison for robbery, was granted commutation of his sentence from twenty (20) years to fourteen (14) years, November 30, 1960, after a public hearing was held on November 19, 1960.

Case No. 2770—Valery Thomas Roth, who on the 20th day of January, 1950, was sentenced to natural life imprisonment in the Montana state prison for murder, was granted commutation of his sentence from natural life to fifty (50) years, December 22, 1960, after a public hearing was held on December 17, 1960.

In addition to the above, there have been eighteen (18) separate restorations of civil rights.

Respectfully submitted,

DONALD G. NUTTER,
Governor.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Haines of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 14 do pass.

HAINES, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Keller that the Senate be requested to return House Bill No. 15 for further consideration by the House. Daniels asked for a roll call vote on the motion, the results thereof to be spread on the Journal. The required ten seconds arose, and a roll call vote followed. Motion carried.

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Conklin, Coulter, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Seymour, Smith, Spahr, Spilde, Stearns, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 57.

Noes: Aasheim, Abel, Bardanouve, Bashor, Bradford, Brenner, Bush, Cerovski, Daniels, Emmons, Eskildsen, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 34.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Etchart. Total 2.

Motion was made by Lucas that by unanimous consent his name be included among the authors of House Bill No. 34. There being no objection, the name of the gentleman from Missoula was added to those appearing on House Bill No. 34.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 104, introduced by Stranahan, Schye, Gustafson, Swanz: A bill for an act entitled: "An act to amend section 11-1024, R. C. M. 1947, relating to group insurance coverage for counties, cities and towns to provide that any company or organization underwriting this coverage must be licensed and governed by the insurance laws of the State of Montana." Referred to Committee on Business and Industry.

House Bill No. 105, introduced by Burrell, Bush, Seymour: A bill for an act entitled: "An act to amend section 26-114 of the Revised Codes of Montana, 1947, as amended by chapter 115 of the Laws of 1955, relating to ex officio state fish and game wardens and their appointment and qualifications and providing that all acts and parts of acts in conflict herewith are hereby repealed." Referred to Committee on Fish and Game.

House Bill No. 106, introduced by T. J. Sullivan, Daniels, Healy, Picard, Emmons, Wayrynen, Mernin, E. R. Sullivan, Stimatz, Lombardi: A bill for an act entitled: "An act relating to establishment of airports by counties and cities; extending the scope of the act to permit a county, city or town to act jointly with any other county, city or town to establish and operate an airport by amending sections 1-801, 1-802 and 1-803, R. C. M. 1947." Referred to Judiciary Committee.

House Bill No. 107, introduced by Gustafson, Kvaalen, Spahr: A bill for an act entitled: "An act relating to the six units of the University of Montana; eliminating conflicting, redundant and obsolete provisions by generally revising chapters 5, 6, 7, 9, 10 and 11, R. C. M. 1947, by amending sections 75-501, 75-503, 75-504, 75-510, 75-513, 75-601, 75-605, 75-608, 75-609, 75-701, 75-703, 75-704, 75-706, 75-708, 75-709, 75-714, 75-717, 75-723, 75-735, 75-737, 75-901, 75-1002, 75-1006 and 75-1102, R. C. M. 1947, and by repealing sections 75-511, 75-514, 75-604, 75-606, 75-710, 75-710.1, 75-710.2, 75-710.3, 75-710.4, 75-711, 75-712, 75-713, 75-715, 75-716, 75-724, 75-725, 75-726, 75-727, 75-728, 75-729, 75-730, 75-731, 75-903, 75-1001 and 75-1101, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 108, introduced by Edwards, Kvaalen: A bill for an act entitled: "An act to provide for the repeal of Chapter 26 of the Revised Codes of Montana, 1947, being sections 75-2601, 75-2602, 75-2603, 75-2604, 75-2605, 75-2606, 75-2607, 75-2608, relating to teachers' institutes and summer schools." Referred to Committee on Education.

House Bill No. 109, introduced by Stranahan, Asbjornson, Aasheim: A bill for an act entitled: "An act to amend section 16-1706 of the Revised Codes of Montana, 1947, relating to noxious weed control, to provide for encompassing state institutional and custodial lands within the purview of the weed control law; and providing a repealing clause." Referred to Committee on Agriculture and Irrigation.

House Bill No. 110, introduced by Stranahan, Asbjornson, Eskildsen: A bill for an act entitled: "An act to amend section 16-1713 of the Revised Codes of Montana, 1947, relating to weed control and weed seed extermination supervisors, to provide that the board of weed control and weed extermination supervisors shall receive per diem at the prevailing rate for employees within the county; and providing a repealing clause." Referred to Committee on Agriculture and Irrigation.

House Bill No. 111, introduced by Higham, Melcher: A bill for an act entitled: "An act to provide that a city or town may invest moneys in special funds for which there is no immediate demand, in the purchase of outstanding city or town warrants, providing the warrants that may be so purchased, and the manner in which such warrants shall be purchased, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 112, introduced by Reinecke, Reed, Leuthold, Spahr: A bill for an act entitled: "An act to amend section 31-145, R. C. M. 1947, as amended by section 1, chapter 165, Laws of 1957, relating to requirement that courts forward licenses and reports of conviction to board; requiring courts to forward records of bail forfeitures not vacated; providing that bail or collateral forfeiture not vacated will be equivalent to conviction for purpose of act; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Judiciary Committee.

House Bill No. 113, introduced by Hilling, Beam, Bradford, Conklin, Rosell: A bill for an act entitled: "An act to amend sections 11-725, 11-726, 11-728, 11-729, and 11-731 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city and town clerks, and city attorneys; providing for maximum salaries of mayors, police judges, city attorneys, and city clerks in first class cities having populations in excess of fifty thousand (50,000) persons and in first class cities having populations of between twenty-five thousand (25,000) and fifty thousand (50,000) persons, all as determined by the last federal census; providing for maximum salaries of mayors and aldermen, police judges, city attorneys and city clerks in all first class cities having a population of less than twenty-five thousand (25,000) persons as determined by the last federal census; providing for the maximum salaries of city and town treasurers in all first class cities and providing for the maximum salaries of mayors, aldermen, police judges, city and town

treasurers, city and town clerks, and city attorneys in all second class and third class cities and towns; repealing all acts and parts of acts in conflict herewith; providing for an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 114, introduced by Hilling, Pierce, Bradford, Hanks: A bill for an act entitled: "An act to amend section 59-510, Revised Codes of Montana, 1947, as amended by Chapter 253, Laws of Montana, 1957, by providing that salaried county and city employees shall work a minimum of forty (40) hours per week." Referred to Committee on Affairs of Cities.

House Bill No. 115, introduced by Johnson, Thompson, Hanks, Hibbard, Dykstra, Judge: A bill for an act entitled: "An act to amend section 11-3215, Revised Codes of Montana, 1947, relating to nomination of candidates at primary elections held under the commission-manager form of municipal government, by providing for the dispensing of a primary election for the nomination of candidates for the office of commissioner in such municipalities when the number of candidates legally qualified for the office of commissioner at such primary election does not exceed twice the number of vacancies in the commission to be filled; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 116, introduced by Schye, Gustafson, Stranahan, Swanz, Nelstead, Melcher, Keller, Blewett: A bill for an act entitled: "An act to amend section 43-103, Revised Codes of Montana, 1947, as amended by section 1 of chapter 191, Laws of Montana, 1951 and to amend section 43-104, Revised Codes of Montana, 1947, as amended by section 2 of chapter 191, Laws of Montana, 1951, for the purpose of apportioning the membership of the House of Representatives in the Legislative Assembly in accordance with the federal census enumeration of the inhabitants of the several counties of Montana taken in 1960." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 117, introduced by Beam: A bill for an act entitled: "An act relating to the interest and income funds of state institutions; amending sections 79-1401, 79-1402 and 79-1403, R. C. M. 1947, and repealing sections 79-1404 and 79-1405, R. C. M. 1947 to delete certain obsolete language and to eliminate the duties of institutional executive boards relating to such funds." Referred to Committee on State Administration.

House Bill No. 118, introduced by Etchart, Barnard, Higham: A bill for an act entitled: "An act to amend section 46-2305 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 13, Session Laws of 1949; section 1, Chapter 124, Session Laws of 1953; section 2, chapter 257, Laws of 1955, relating to the compensation of the secretary; section 46-2331 of the Revised Codes of Montana, 1947, relating to the fee imposed by the commission against the districts; containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 119, introduced by Hanks, Broeder: A bill for an act entitled: "An act to amend section 5 of chapter 7, Laws of 1959 (designated as section 75-5205, Revised Codes of Montana, 1947, 1959 supplement), relating to the composition of the advisory board of the Montana law enforcement academy; to provide that a representative of the federal bureau of investigation and a representative of the Montana police protective association be included on the advisory board of the Montana law enforcement academy." Referred to Committee on State Administration.

The Speaker named the following members to the Necrology Committee: Reed, Chairman; Rosell, Vice Chairman; Johnson, Spahr, Judge.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

January 11, 1961.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 18.

REED, Chairman.

January 12, 1961.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 14.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 10 and House Joint Memorial No. 3, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 do pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 be amended as follows:

Amend line 3 of the title of the original bill, by striking the period "." following the word "sheep" and inserting in lieu thereof the words and period "and swine.";

And further amend in section 1, line 14, following the word "calf" by striking the words "or sheep" and inserting in lieu thereof the words "sheep or swine";

And as amended, do pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 be amended in the title as follows:

That lines 16, 17, 18 and 19 of the original bill be amended by deleting the words: "to amend section 23-1402 of the Revised Codes of Montana, 1947, relating to war registration cards, to provide for the inclusion thereon of the political affiliation";

And that it be further amended by deleting all of section 7;

And as amended, do pass.

HAINES, Chairman.

Motion was made by Haines for adoption of the committee report. As a substitute motion Loman moved that House Bill No. 46 be re-referred to the Committee on Constitution, Elections, and Federal Relations. Substitute motion carried.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do not pass.

PIERCE, Chairman.

Motion was made by Pierce for adoption of the committee report. Substitute motion was made by Wayrynen that House Bill No. 77 be printed and placed on General Orders. Substitute motion failed to carry. Motion of Pierce that the committee report be adopted, carried.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 be amended as follows:

Amend body of bill by adding after line 8 on page 2 another paragraph as follows: "Section 3. All acts and parts of acts in conflict herewith are hereby repealed.";

And as amended, do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do pass.

PIERCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 4, introduced by Haughey, Schwinden: A joint resolution of the Senate and House of Representatives of the State of Montana requesting the legislative council to develop a general plan for the reorganization of state government for future guidance, to make specific recommendations for the consolidation and elimination of state agencies and to report its findings to the Thirty-eighth Legislative Assembly. Referred to Committee on State Administration.

House Joint Memorial No. 8, introduced by Beam: A joint memorial of the Senate and House to the Honorable Mike Mansfield and Honorable Lee Metcalf, senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, congressmen from the State of Montana; to the U. S. senate and house of representatives committees on education, and to the secretary of health, education and welfare, urging and requesting opposition to any further extension of federal aid to education. Referred to Committee on Education.

House Bill No. 120, introduced by Wayrynen, Jensen (Mineral), Reinicke: A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 193 of the Montana Session Laws of 1955, relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto, to provide for the allowance of fishing with salmon eggs by deleting the restriction against it; containing a repealing clause and providing an effective date." Referred to Committee on Fish and Game.

House Bill No. 121, introduced by Conklin, Spahr: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article XVI of the constitution of the State of Montana, relating to counties—municipal corporations and offices, by adding thereto two new sections to be known and designated as section 9 and

section 10 of article XVI, relating to home rule for municipal corporations; section 9 providing for the adoption by any municipal corporation of a home rule chapter of government and for the amendment or repeal of the same, providing for the manner of adoption, amendment or repeal of a home rule chapter, including the procedure for the election of a charter commission and for the submission of all proposals for adoption, amendment or repeal of a home rule charter to the qualified electors of the municipal corporation in which the adoption, amendment or repeal of a home rule charter is proposed, and for the implementation of the foregoing by the legislature, or if it does not act, by the governing body of the municipal corporation; and section 10 establishing the powers, functions and limitations of municipal corporations adopting home rule charters, and establishing the right of the legislature to deny certain powers by statute to home rule municipal corporations." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 122, introduced by Abel, Broeder, Pierce, Wayrynen: A bill for an act entitled: "An act to amend section 32-1014, Revised Codes of Montana, 1947, by adding subsection (a), providing for the highway commission to cause trash containers to be placed along national highways in Montana, and providing further that said containers shall be marked 'keep Montana green and clean,' and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 123, introduced by Judiciary Committee: A bill for an act entitled: "An act to amend Section 82-2002 of the Revised Codes of Montana, 1947, relating to the duties of the reporters of the decisions of the supreme court; and to amend section 82-2004 of the Revised Codes of Montana, 1947, relating to contracts for publication of the Montana reports by providing that the reporters shall make careful and accurate reports of the cases decided pursuant to rules and regulations promulgated by the justices of the supreme court; and that the contract for publication of such reports shall be for any term of years agreeable to the justices, provided that such term shall not exceed six (6) years nor be for less than one (1) year, and deleting the requirement for a six (6) year contract." Referred to the Judiciary Committee.

House Bill No. 124, introduced by Eskildsen, McOmber, Aasheim, Stranahan, Abel: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, drain ditches, borrow pits, slopes, road shoulders or other types of construction." Referred to Committee on Highways.

House Bill No. 125, introduced by Abel, Twedt, Haines, Eskildsen: A bill for an act entitled: "An act to amend Section 66-803 of the Revised Codes of Montana, 1947, relating to the practicing or teaching of cosmetology; providing that the completion of the course of cosmetology at Northern Montana College will qualify an applicant for examination." Referred to Committee on Education.

House Bill No. 126, introduced by Bashor, Pierce, Laas: A bill for an act entitled: "An act relating to laborers' and materialmen's liens on oil and gas wells and pipelines; amending section 45-1011, R. C. M. 1947, enacted as section 11, chapter 143, Laws of 1957, to have a lien fail if an estate less than a fee is forfeited; containing a repealing clause; and fixing an effective date." Referred to Judiciary Committee.

House Bill No. 127, introduced by Reinecke, Reed, Leuthold, Spahr, Smith: A bill for an act entitled: "An act to amend section 31-148, R. C. M. 1947, relating to authority of board to require re-examination; authorizing board to require incompetent or negligent drivers to appear for an interview; providing all acts or parts of acts in conflict herewith are hereby repealed." Referred to Judiciary Committee.

House Bill No. 128, introduced by Reinecke, Reed, Leuthold, Spahr: A

bill for an act entitled: "An act to amend section 31-156, R. C. M. 1947, relating to parents or guardians allowing unauthorized minors to drive motor vehicles; prohibiting any person from allowing an unauthorized minor to drive a motor vehicle; repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 129, introduced by Cerovski: A bill for an act entitled: "An act calling for the submission to the electors of the State of Montana of a proposal for the calling of a convention to revise, alter or amend the constitution of the State of Montana; and providing for the method of voting at such election." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 130, introduced by Hall, Falkenstern, Stearns: A bill for an act entitled: "An act to amend section 31-146, R. C. M. 1947, as amended by section 1, chapter 192, Laws of 1957; relating to mandatory revocation of license or driving privilege by board; requiring board to revoke license upon receiving record of conviction or forfeiture of bail not vacated for offenses when such conviction or forfeiture becomes final; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Judiciary Committee.

House Bill No. 131, introduced by Mathers, Edwards, Anderson (Yellowstone), Bush, Goan, Gustafson, Smith, Sterns, Schye, Spilde, Rosell, Pierce, Beam, Hawks, Regan, Adams: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, as amended by section 1 of chapter 232, Laws of Montana, 1957, and section 1 of chapter 264, Laws of Montana, 1959, relating to corporation license tax and organizations exempt therefrom by deleting the exemption applicable to mutual savings banks not having capital stock representing shares, to domestic building and loan associations or cooperative banks, to labor, agricultural or horticultural cooperatives organized and operating on a cooperative basis for marketing products and purchasing supplies, to business done with the United States, or State of Montana or its political subdivisions; providing an effective date for this act; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 18 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Schye, Weeks. Total 2.

Excused: Barnard, Daniels, Etchart. Total 3.

House Bill No. 14 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Daniels, Etchart. Total 3.

Motion was made by Anderson (Yellowstone) that the House recess until 4:00 p. m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

January 12, 1961.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote, failed to accede to your request to return House Bill No. 15 to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 132, introduced by Conklin, Lucas, Hilling, Tim J. Sullivan: A bill for an act entitled: "An act to amend section 84-1813, Revised Codes of Montana, 1947, relating to the tax on diesel fuel and other volatile liquids; providing that the counties, incorporated cities and towns and school districts of this state shall be exempt from said tax; repealing all acts and parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Highways.

House Bill No. 133, introduced by Conklin, Lucas, T. Sullivan, Hilling: A bill for an act entitled: "An act to amend sections 84-1802, 84-1818, and 84-1819, Revised Codes of Montana, 1947, as now amended, relating to the gasoline dealers' license tax; providing that all gasoline sold or delivered by any dealer to any county, incorporated city or town or school district of this state shall be exempt from said tax; providing a procedure for issuance and use of governmental gasoline tax exemption certificates and permits; providing that the counties, incorporated cities and towns, and school districts of this state shall not be entitled to refunds; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Highways.

House Bill No. 134, introduced by Blewett, Laas, Broeder, Spahr: A

bill for an act entitled: "An act to amend section 93-9903 of the Revised Codes of Montana, 1947, relating to estates in land which may be acquired by condemnations by providing that a fee simple estate may be acquired for state and public highway purposes; to amend section 93-9904 of the Revised Codes of Montana, 1947, by providing that controlled access highways shall not be subject to intersections, crossings, or uses in common; to amend section 93-9906 of the Revised Codes of Montana, 1947, relating to entry by the state upon lands for making of surveys and maps by providing that entry may be made by the state upon such lands for the purpose of making appraisals thereof; amending section 93-9909 of the Revised Codes of Montana, 1947, relating to summons in condemnation proceedings by providing that such summons must be served upon each defendant at least twenty (20) days prior to hearing on order to show cause and providing that a copy of the complaint shall be served on each defendant named; to amend section 93-9910 of the Revised Codes of Montana, 1947, relating to defendants in condemnation proceedings by providing that an answer shall be served upon the plaintiff by each appearing defendant and that such answer shall contain a specific allegation by such defendant as to the amount claimed by such defendant as reasonable and just compensation for taking of his lands; amending section 93-9911 of the Revised Codes of Montana, 1947, relating to the powers of courts and judges in condemnation proceedings; providing for a preliminary condemnation order; and eliminating therefrom reference to appointment of commissioners; amending section 93-9912 of the Revised Codes of Montana, 1947, relating to meeting of commissioners by providing for qualifications, appointment, and proceedings therefor, and by amending provisions relating to measurement of award by deleting references to damages and substituting therefor the term 'depreciation'; amending section 93-9913 of the Revised Codes of Montana, 1947, by deleting reference to 'damages', and providing for interest to be paid if plaintiff let into possession of property; amending section 93-9914 of the Revised Codes of Montana, 1947, providing for report of condemnation commissioners and providing that their report shall be filed within ten (10) days after hearing and providing that two of three commissioners may decide award; amending section 93-9915 of the Revised Codes of Montana, 1947, by deleting therefrom reference to damages; amending section 93-9920 of the Revised Codes of Montana, 1947, by providing that plaintiff in condemnation proceedings can be let into possession of property by depositing amount claimed by landowner, providing for a bond to be posted for return of excess moneys by landowner where deposit amounts are withdrawn prior to final award; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 135, introduced by Blewett, Laas, Broeder, Spahr: A bill for an act entitled: "An act to amend section 32-1615 of the Revised Codes of Montana relating to the procurement of rights of way and other properties; specifying the purposes for which land and other real property may be acquired by the state highway commission; authorizing the state highway commission to acquire lands or other real property by purchase or exchange; authorizing the state highway commission to authorize proceedings in condemnation for the acquisition of lands or other real property; providing that the resolution of the state highway commission shall be conclusive as to the necessity of highways and property required therefor and as to proper planning and location of state highways; providing for the acquisition of lands or other real property for present or future highway needs; authorizing the state highway commission to lease lands or other real property; providing that acquisition of right-of-way by state highway commission includes the right to use or dispose of gravel or other road building materials located within such right-of-way; repealing all acts and parts of acts in conflict herewith; and providing that this act be in full force and effect from and after its passage and approval." Referred to Committee on Highways.

House Bill No. 136, introduced by McOmber, Barnard, Raundal, Leuthold, Nichols, Jensen (Lake), Hanks, Eskildsen: A bill for an act entitled: "An act to amend section 84-1818, Revised Codes of Montana as

amended relating to procedure on refund of gasoline license tax and amending chapter 18, title 84, Revised Codes of Montana, 1947, by adding a new section to be numbered 84-1818.1, providing for exemption of gasoline used in farming, providing for an annual agricultural exemption permit; providing for an agricultural exemption invoice and certificate and methods of reporting by dealers and distributors; providing for exemptions of counties, cities, towns and school districts from state gasoline tax, and providing procedure for obtaining such exemption; providing for rules and regulations to be prescribed by state board of equalization; providing for penalties for violation of provisions of this act; providing for a savings clause; providing an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 137, introduced by Picard (by request): A bill for an act entitled: "An act to amend section 25-604, R. C. M. 1947, relating to salaries of deputies of county officers, to provide that boards of county commissioners must fix the compensation of chief deputies at ninety-five percent (95%) of officer under whom such chief deputy is serving; to provide that all regular deputies must receive ninety per cent (90%) of the salary of the officer under whom they are serving; and to provide for a prescribed minimum number of deputies." Referred to Committee on Townships and Counties.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Friday, January 13, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWELFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 13, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barnard and Etchart, excused because of illness, and Daniels excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Joint Memorial No. 6, respectfully report as follows: That House Joint Memorial No. 6 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 be amended as follows:

Amend section 3, sub-section (c) page 3, lines 15 and 16 of the original

bill, following the word "Marketing" by striking the comma "," and inserting a period "." in lieu thereof and by striking the words "or to the Commissioner of Agriculture."

Amend section 5, sub-section (c) page 7, line 3 of the original bill following the word "ballot" by striking the words "on a form prescribed by the Administrative Committee."

And further amend section 5, sub-section (c), page 8, line 10 of the original bill, by striking the period "." following the word "Fund" and inserting a comma "," and inserting the following words and period: "except that the initial cost of administering the act shall be paid from funds of the Montana Department of Agriculture and the Department shall be reimbursed in full for such expenditures from the Wheat Research and Marketing revolving fund as soon as sufficient funds are available."

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Schwinden moved that the Journal show that the budget of the State of Montana has made its first appearance in this legislative hall on this twelfth day of the session. Motion carried.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Joint Resolution No. 5, introduced by McOmber, Spahr, Blewett, Broeder: A Joint Resolution of the Senate and House of Representatives directing the Montana highway department to mark approaches to older, narrow bridges with larger, more conspicuous signs and to replace old bridges with wider, safer bridges when reasonably possible. Referred to Committee on Highways.

House Joint Resolution No. 6, introduced by Anderson (Yellowstone), Haines, Regan, Hawks, Bashor: A Joint Resolution of the Senate and House of Representatives ratifying the proposed amendment to the Constitution of the United States relating to the creating of representation in the electoral college to the District of Columbia. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 138, introduced by McOmber, Raundal, Leuthold: A bill for an act entitled: "An act to amend section 84-1812, Revised Codes of Montana, 1947, as amended by chapter 206, Laws of Montana, 1957, by providing distribution of proceeds of tax funds by the state treasurer by increasing the amount to be credited and deposited to the state highway fund and reducing statutory amount required to be retained in the drawback fund; repealing all acts or parts of acts in conflict herewith and providing an effective date." Referred to Committee on Highways.

House Bill No. 139, introduced by Picard, Healy, Lundgren, Conklin: A bill for an act entitled: "An act to increase the fine imposed for dumping garbage upon or near highways from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00) by amending section 32-1014, R.C.M. 1947, as amended by section 1, chapter 237, Session Laws of 1959." Referred to Committee on Highways.

House Bill No. 140, introduced by Blewett, Bradford: A bill for an act entitled: "An act amending section 92-701, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-702, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-703,

Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-704, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, and amending section 92-709, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of Montana, 1957, all relating to increases in workmen's compensation and benefits for temporary total, permanent total, or partial disabilities, injury causing death, and specified injuries; and amending section 92-418, Revised Codes of Montana, 1947, relating to the definition, of 'injury' or 'injured'; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 141, introduced by Hibbard, Weeks, Lucas, Reed, Anderson (Yellowstone), Haughey: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed ten (10) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the purpose of considering business under General Orders. Motion carried.

Wright of McCone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 10 do pass.

That House Joint Memorial No. 3 be amended by adding after paragraph 3 thereof, the following new paragraph: "WHEREAS agriculture is the largest industry in Montana and the products of agriculture are vital to the economic health of all citizens and general business prosperity, it is of paramount importance that it should have a price structure that is fair to the producer and consumer";

Be further amended by adding after paragraph 3, following the above amendment, the following: "WHEREAS Montana's most valuable resource is its youth, many of whom are leaving the state to find employment elsewhere."

Be further amended on page 2 on line 16 of the printed bill, which is line 22, page 1 of the original bill, by inserting after the comma after the word "burden" and before the word "discriminatory" the following words and punctuation "excessive freight rates,";

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 10.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that House Bill No. 125 be taken from the Committee on Education and referred to the Committee on Public Health, Welfare and Safety. Motion carried.

Loman moved that House Bill No. 77, killed yesterday by an adverse Committee report, be reconsidered and rereferred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Education:

House Bill No. 142, introduced by Hibbard, Reed, Dykstra: A bill for an act entitled: "An act to amend section 75-4609, of the Revised Codes of Montana of 1947, as amended by chapter 147, Laws of 1959, relating to a special levy election in a high school district, and providing the election may be called by the board of trustees of a high school district; and containing a repealing clause and effective date."

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 10 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Cerovski, Weeks. Total 2.

Excused: Barnard, Daniels, Etchart, Jensen (Mineral). Total 4.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Saturday, January 14, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 14, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barnard and Etchart, excused because of illness, and Daniels, Jensen (Mineral), Lombardi, Melcher, Shelden and Stimatz, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twelfth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

January 13, 1961.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 12, 28, 38, 56, 57, 79, 60, 83, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

January 13, 1961.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Joint Memorial No. 3.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 be amended by substituting in line 5, page 10 of the original bill the words: "this or any other state," for the words "this, any state"; and by substituting in line 3, page 12 of the original bill the word "relative" in lieu of the word "family",

And as so amended, do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 do not pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do not pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 be amended as follows:

Be amended in section 1, sub-title (b), after the comma following the word "trucks" (line 2, page 2 of the original bill) by adding the following words: "and except cars purchased for the Governor shall be two and four-door sedans of the low-price field; or, where specific use requires, station wagons or suburbans of the low-price field, which";

Be further amended, in the title (line 11 of the original bill) by substituting a period and a quotation mark for the semi-colon following the word "HEREWITH" and deleting the words: "PROVIDING EFFECTIVE DATE OF ACT."

Be further amended by deleting all of section 3;

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be amended as follows:

Be amended by deleting lines 28, 29 and 30 in section 1 of the original bill and substituting for same the following words: "coloring determined by the state controller, and such vehicles shall be lettered as prescribed by law."

Be further amended in the title, line 15 of the original bill by substituting a period and a quotation mark for the comma following the word "HEREWITH" and deleting the words "PROVIDING EFFECTIVE DATE OF ACT."

Be further amended by striking out all of section 3;

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do pass.

KVAALLEN, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 143, introduced by Lucas, Conklin, Bradford, Mathers: A bill for an act entitled: "An act to provide for payments by the state auditor to treasurers of cities for payments of salaries to policemen placed on the reserve list." Referred to Committee on Affairs of Cities.

House Bill No. 144, introduced by Laas, Lewis, Broeder, Pierce: A bill for an act entitled: "An act to amend section 31-105, R.C.M. 1947, as amended by section 1, chapter 109, Laws of 1959, relating to qualifications of patrolmen — salary — probationary training — discharge — demotion — suspension — hearing; increasing salary differential among captains, sergeants and patrolmen; increasing base salaries of captains, sergeants, patrolmen and probationary patrolmen when such patrolmen work a forty-eight (48) hour week; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 145, introduced by Dykstra, Haines, Loman: A bill for an act entitled: "An act to amend section 40-3128, Revised Codes of Montana, 1947, as added by chapter 286, Session Laws of 1959, relating

to investments of insurance companies in real estate and interests therein; providing for an effective date for this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 146, introduced by Dykstra, Haines, Loman: A bill for an act entitled: "An act to amend section 40-3011, Revised Codes of Montana, 1947, as added by chapter 286, Session Laws of Montana, 1959, relating to the valuation of life insurance policies and contracts; prescribing additional mortality tables for such valuation; providing an effective date for this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 147, introduced by Abel, Nelstead, Lucas, Schwinden: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending section 6 of article XVI of said Constitution, relating to the authorization of the Legislative Assembly to provide for the election or appointment of county, township, precinct and municipal officers not otherwise in the Constitution provided as public convenience may require increasing the limit of time of office from two years to four years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 148, introduced by Pierce, Bush, Anderson (Madison), Mathers, Coulter: A bill for an act entitled: "An act creating and establishing a Montana state game warden's retirement system; defining the terms 'accumulated deductions,' 'beneficiary,' 'retired state game warden,' 'board,' 'contributor,' 'final salary,' 'actuarial equivalent,' 'fund,' 'involuntary retirement,' 'member's annuity,' 'optional retirement age,' 'retirement age,' 'retirement allowance,' 'state annuity,' 'state game warden,' creating a Montana state game wardens' retirement board; providing for payments into the Montana game wardens' retirement fund; providing the board may establish rules and regulations for proper administration, operation and enforcement of this act; defining who shall be members of said retirement system; creating a state game wardens' retirement fund; providing for contributions by members of the Montana state game wardens; providing for contributions by the State of Montana; providing for retirement, voluntary retirement, retirement allowance, disability retirement allowance, involuntary retirement allowance, refunds in case of resignation or discharge, payments upon death, payments in case of death from natural causes; providing for monthly payments of retirement allowances; providing for the exemption from taxes and execution of member's annuity; providing for the manner of designating beneficiaries; providing for service in the armed forces of the United States; prohibiting fraud and providing for the manner of correcting errors; providing for restrictions on payments to beneficiaries; providing for the subrogation of the State of Montana to the rights of the members or dependents against certain third parties; providing for payments under other laws; providing for optional retirement allowances; providing that each game warden shall be ineligible to membership in state public employees' retirement system; providing that the constitutional provisions of this act are severable; providing this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 149, introduced by Judge: A bill for an act entitled: "An act to amend section 32-2199, R.C.M. 1947, as enacted by section 96, chapter 263, Laws of 1955, relating to the stopping, standing, or parking of motor vehicles outside of business or resident districts; prohibiting persons from abandoning vehicles on highways or on public or private property; providing that any vehicle left unattended in excess of twenty-four (24) hours shall constitute an abandoned vehicle for purpose of act; providing that disabled vehicle shall not be an abandoned vehicle when properly protected and when enforcement officials notified;

repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 150, introduced by Judge: A bill for an act entitled: "An act to amend section 32-21-100, R.C.M. 1947, as enacted by section 97, chapter 263, Laws of 1955, relating to the authority of officers or highway patrolmen to remove or cause to be removed illegally stopped vehicles; providing officers or highway patrolmen with authority to remove unattended or abandoned vehicles to a garage or other place of safety: (1) Whenever any vehicle is left unattended on a bridge or causeway or in any tunnel, (2) whenever any vehicle is illegally parked so as to block the entrance to a private driveway or so parked as to prevent access by fire-fighting equipment, (3) whenever any stolen or embezzled vehicle is found on a highway or the right of way thereof, (4) whenever any vehicle upon a highway is so disabled as to constitute a hazard and the person in charge of such vehicle is incapacitated because of physical injuries, (5) whenever an officer or highway patrolman arrests any person driving or in control of a vehicle, (6) whenever any vehicle has been abandoned or left unattended upon any public highway or private property adjacent to a public highway and the owner or person in control of such property has requested such vehicle to be removed, and (7) whenever any vehicle has been left unattended upon any roadway or portion thereof and such vehicle causes an obstruction or creates a hazard for other users of the highway; requiring officers or highway patrolmen to notify owners, if possible, of such removed vehicles; providing that the registrar of motor vehicles will assist to locate and notify owners which cannot be located by officers or highway patrolmen; providing that proprietors or owners of garages or other places of storage who have a lien dependent upon his possession for his compensation for towage, caring for and keeping safe such vehicle, may satisfy his lien in the manner as is provided in sections 45-1106, 45-1107, 45-1108, 45-1109 and 45-1110, R.C.M. 1947, providing such vehicle has been stored, cared for or in safe keeping for a period of ninety (90) days and has not been recovered by the owner or the owner is unknown; providing that existing statutes relating to abatement of public nuisances and obstructions shall not be affected by this act; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 151, introduced by Hibbard, Anderson (Madison): A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 157, Laws of 1949; as amended by section 1, chapter 126, Laws of 1951; as amended by section 1, chapter 223, Laws of 1953; as amended by section 1, chapter 193, Laws of 1955; relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto; to provide that dogs may be used for hunting black or brown bear; and providing for an effective date." Referred to Committee on Fish and Game.

THIRD READING OF HOUSE BILLS

House Joint Memorial No. 3, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sulli-

van (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 85.

Noes: None.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Barnard, Daniels, Etchart, Jensen (Mineral), Lombardi, Melcher, Shelden, Stimatz. Total 8.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 5, beg leave to report that the same has this date been returned from the printed correctly printed.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 11:00 a. m., Monday, January 16, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 16, 1961

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barnard and Etchart, excused because of illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirteenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do not pass, but that

Substitute House Bill No. 80, introduced by Judiciary Committee: A bill for an act entitled: "An act to amend sections 11-1702 and 11-1704, of the Revised Codes of Montana, 1947, relating to municipal courts, adoption of provisions concerning jurisdiction and qualifications and salary of municipal judges, and repealing all acts and parts of acts in conflict herewith."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 do not pass.

HAUGHEY, Chairman.

Report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 9, introduced by Crum, Hilling, Johnson, Beam, Goan, Regan, Rosell, Bashor, Gustafson: A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the President of the United States and the Congress of the United States and to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold H. Olsen and the Honorable James Battin, Congressmen from the State of Montana, relating to the retention of the Connally reservation and that no law shall be passed that will affect the right of self-determination by the United States. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Memorial No. 10, introduced by Hawks, Anderson (Yellowstone), Haines, Bush, Hibbard, Stranahan, Beam: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana; to the Honorable James Battin and the Honorable Arnold Olsen, Representatives from the State of Montana; to the Secretary of the Interior; to the chairmen of the appropriations committees of the United States Senate and the House of Representatives; and to the Senate and House of Representatives of the United States in Congress assembled, urging that taxpaying enterprise be permitted to participate in the development of the power features of Yellowtail dam project. Referred to Committee on Constitution, Elections and Federal Relations.

Substitute House Bill No. 80, introduced by Judiciary Committee: A bill for an act entitled: "An act to amend sections 11-1702 and 11-1704, of the Revised Codes of Montana, 1947, relating to municipal courts, adoption of provisions concerning jurisdiction and qualifications and salary of municipal judges, and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 152, introduced by Weeks, Keller, Melcher, Haughey, Hilling: A bill for an act entitled: "An act to amend section 66-1002 of the Revised Codes of Montana, 1947, relating to organization of board, register and rules; to amend section 66-1003 of the Revised Codes of Montana, 1947, as amended by chapter 119 of the laws of the Thirty-fifth Legislative Assembly, 1957, relating to the definition of an approved medical university, college or school and relating to the branches and subjects of medicine and surgery concerning which the examination given applicants for license to practice medicine and surgery shall cover;

to amend section 66-1004 of the Revised Codes of Montana, 1947, relating to qualifications of jurors to sit on appeals to the district court and relating to fees of such jurors; to amend section 66-1008 of the Revised Codes of Montana, 1947, relating to fees for examination for admittance and annual license fees; to amend section 66-1009 of the Revised Codes of Montana, 1947, relating to compensation and expenses allowed board members and appealing all acts and parts of acts in conflict herewith, and providing that said act shall be in full force and effect from and after July 15, 1961." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 153, introduced by Conklin, Daniels: A bill for an act entitled: "An act regulating the erection, use, and maintenance of signs, advertising structures or similar devices used for the display of advertising outdoors on private property along public highways within this state; providing penalties and appropriate legal proceedings for violation of this act; and repealing acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 154, introduced by Aasheim, Sheldon, Kolar, Haines: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana to eliminate county superintendent of schools as one of the county officers elected by the people, by amending section 5, article XVI of the Montana Constitution." Referred to Committee on Constitution, Elections and Federal Relations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders. Motion carried.

Schwinden of Roosevelt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 12 do pass.

That further consideration of House Bill No. 28 be passed for the day.

That House Bill No. 38 do pass.

That House Bill No. 56 do pass.

That House Bill No. 57 be amended in the Title thereof, in the last line after the period and quotation mark, by deleting the period and quotation mark, and inserting the following words and punctuation marks; "AND CONTAINING A REPEALING CLAUSE." ";

That House Bill No. 79 be amended in the Title in the last line, after the period and quotation mark, by deleting the period and quotation mark, and inserting the following words and punctuation: "AND CONTAINING A REPEALING CLAUSE." "; and as amended, do pass.

That House Bill No. 60 do pass.

That further consideration of House Bill No. 83 be passed for the day.

That House Bill No. 5 do pass.

SCHWINDEN, Chairman.

Schwinden moved for adoption of the committee report. Substitute

motion was made by Spahr that House Bill No. 79 be segregated from the report. Substitute motion lost. Motion by Schwinden carried. Report adopted as read.

MOTIONS AND RESOLUTIONS

Motion was made by Pierce that House Bill No. 83 be taken from General Orders and rereferred to the Committee on Fish and Game. Motion carried.

Motion was made by Haughey that House Bill No. 71 be taken from the Judiciary Committee and referred to the Committee on Public Health, Welfare and Safety. Motion carried.

Anderson (Yellowstone) moved that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 12 and 38.

REED, Chairman.

MESSAGES FROM THE SENATE

January 16, 1961.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, Title and History agreed to and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 17 introduced by Thiessen and others.

Respectfully,

ALFRED R. ANDERSON.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that House Bill No. 67 be taken from the Committee on Highways and referred to the Judiciary Committee. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 17, introduced by Thiessen, Carney, Thomas, Balgord: A bill for an act entitled: "An act relating to use of telephones, to provide a penalty for failure to relinquish a party line or public pay telephone in an emergency; and to provide a penalty for false representation of an emergency in order to use a party line or public pay telephone." Referred to Judiciary Committee.

House Bill No. 155, introduced by Hilling, Haughey, Rosell, Pierce, Anderson (Yellowstone), Beam, Crum, Goan: A bill for an act entitled: "An act relating to special rural improvement districts in counties; amending section 16-1601, R.C.M. 1947, to permit improvement districts

for building, construction and maintenance of devices intended to protect the safety of the public from open ditches carrying irrigation or other water." Referred to Judiciary Committee.

House Bill No. 156, introduced by Hilling, Haughey, Rosell, Pierce, Anderson (Yellowstone), Beam, Crum, Goan: A bill for an act entitled: "An act relating to special improvement districts in cities and towns; amending section 11-2202, R.C.M. 1947, to permit improvement districts for building, construction and maintenance of devices intended to protect the safety of the public from open ditches carrying irrigation or other water." Referred to Judiciary Committee.

House Bill No. 157, introduced by Jensen (Lake), Adams, Bardanouve, Asbjornson, Regan: A bill for an act entitled: "An act to establish an unsatisfied judgment fund with the Montana state treasurer from an additional one dollar (\$1.00) fee assessed to purchasers of Montana drivers licenses; providing for the investment of said fund; suspending collecting of fees for a two (2) year period when said fund exceeds two hundred fifty thousand dollars (\$250,000.00); providing for recovery from the fund by Montana residents obtaining judgments in excess of three hundred dollars (\$300.00) for personal injury or death; providing for recovery from the fund by Montana residents when liability cannot be determined, and providing a limit of five thousand dollars (\$5,000.00) per person, and ten thousand dollars (\$10,000.00) per accident on amount to be collected from the fund; designating the attorney general as counsel of said fund, and empowering said official to appoint special counsel to defend said fund; providing for appeals from orders as provided by law; designating manner in which judgment becomes final; providing for assignment of judgments to state treasurer before payment of judgment from said fund; providing for amounts to be repaid fund before driving privileges restored, and installment payment thereof; and providing for a repealing clause." Referred to Judiciary Committee.

House Bill No. 158, introduced by Bardanouve, Anderson (Yellowstone): A bill for an act entitled: "An act to implement and expedite the assessment and taxation of property by making each property owner responsible for reporting to the county assessor the property that he owns, possesses or controls; amending sections 84-401, 84-405, 84-409, 84-410 and 84-412, R.C.M. 1947, and repealing sections 84-411, 84-413, 84-439 and 84-440, R.C.M. 1947." Referred to Committee on Townships and Counties.

House Bill No. 159, introduced by Seymour, Cerovski: A bill for an act entitled: "An act to amend section 75-3414, Revised Codes of Montana, 1947, relating to school transportation; providing for a contingency item in the school transportation budget; requiring copies of transportation contracts and budgets to be transmitted to the superintendent of public instruction; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

House Bill No. 160, introduced by Reed, Haines, Twedt, Page, Kvaalen, Rosell, Seymour: A bill for an act entitled: "An act to amend sections 75-1716, 75-1719, 75-1720, 75-4521, 75-4524 and 75-4525, Revised Codes of Montana, 1947, relating to emergency budgets of school districts and high schools; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 161, introduced by Nelstead: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly executed, acknowledged and recorded and containing a repealing clause." Referred to Judiciary Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Memorial No. 6 and House Bill No. 51, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 12 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Nichols, Page. Total 2.

Excused: Barnard, Etchart, Hibbard. Total 3.

House Bill No. 38 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Cerovski, Daniels, Emmons, Jensen (Mineral), Judge, Mernin, Moudree, Sullivan (Deer Lodge), Teigen. Total 9.

Absent or not voting: Nichols. Total 1.

Excused: Barnard, Etchart, Hibbard. Total 3.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Tuesday, January 17, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

SIXTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 17, 1961

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, excused for personal business, and Barnard and Etchart, excused due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 57 and 60.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Judiciary Committee, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 27, beg leave to report that the same has this date been returned from the printer correctly printed.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that House Bill No. 5 be taken from engrossing and rereferred to General Orders for the purpose of amendments. Motion carried.

Haines moved that House Bill No. 79 be taken from engrossing and referred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 162, introduced by Schye, Emmons, Laas, Healy: A bill for an act entitled: "An act to amend section 41-701 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 32 of the Session Laws of 1955, and to amend section 41-703 of the Revised Codes of Montana, 1947, relating to requiring all contracts for state, county, municipal, school construction, heavy highway or municipal construction, or repair work and maintenance to contain provisions requiring preference to bona fide residents of Montana and defining 'the standard prevailing rate of wages', 'heavy highway or municipal construction' in the county and area where the work is being performed and providing penalties for the violation of this act, and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 163, introduced by Thompson, Kvaalen, Bashor, Picard: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; to provide minimum salaries for county attorneys and county sheriffs; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 164, introduced by Nelstead, Mathers: A bill for an act entitled: "An act to amend section 16-2406 of the Revised Codes of Montana, 1947, relating to the term of office of county officers, to make it possible for county treasurers to succeed themselves; repealing all acts or parts of acts in conflict herewith, and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 165, introduced by Stimatz, Lucas, Murray: A bill for an act entitled: "An act to provide that an indictment, information, complaint or accusation may charge two or more offenses under separate counts; providing for the consolidation of two or more indictments, informations, complaints, or accusations; providing that election by prosecution is not required; providing that conviction may be had on any number of offenses charged; providing for a statement in verdict, and that the court may order trial of different offenses charged separately or in groups; providing for effect of acquittal on part of counts; and repealing section 94-6407, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 166, introduced by Nelstead, Mathers: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana, an amendment to section 5, article XVI of the Constitution of the State of Montana, relating to election of county officers, to make it possible for county treasurers to succeed themselves; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 167, introduced by Murray, Hibbard, Nichols, Johnson, Sullivan (Silver Bow), Anderson (Yellowstone), Regan, Nelstead: A bill for an act entitled: "An act abolishing the state board of hail insurance; and repealing sections 82-1501 to 82-1520, inclusive, of the Revised Codes of Montana, 1947, as amended, and all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 168, introduced by Lucas, Murray, Eskildsen, Stimatz: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to section 19 of article VIII of the Constitution of the State of Montana relating to the election, qualifications, term of office, salary, and duties of county attorneys, to provide that the term of office of county attorneys shall be four (4) years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 169, introduced by Eskildsen, Aasheim: A bill for an act entitled: "An act to prohibit the introduction of noxious weed seeds or viable plant parts originating outside Montana, into Montana on combines, hay balers or other sources; to prescribe the duties of the commissioner of agriculture for inspecting, certifying, disseminating information, establishing rules, regulations and inspection fees and other duties necessary to administer this act; to provide for penalties for non-compliance with this act; to provide for the appointment of weed inspectors and to prescribe their duties; to repeal section 16-1708, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 170, introduced by Spahr: A bill for an act entitled: "An act relating to teachers' examinations and certificates; amending section 75-2501, R.C.M. 1947, by changing subsection 4 to require certificates to be registered not later than November 1." Referred to Committee on Education.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 57 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanoue, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Hazelbaker. Total 1.

Excused: Abel, Barnard, Dykstra, Etchart, Page. Total 5.

House Bill No. 60 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Edwards, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 69.

Noes: Aasheim, Bashor, Brenner, Cerovski, Daniels, Emmons, Judge, Lombardi, McOmber, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Stimatz, Teigen, Twedt, Wayrynen. Total 19.

Absent or not voting: Hazelbaker. Total 1.

Excused: Abel, Barnard, Dykstra, Etchart, Page. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the purpose of considering business under General Orders. Motion carried.

Broeder of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 28 do pass.

That House Joint Memorial No. 6 do pass.

That House Bill No. 51 do pass.

That House Bill No. 5 be amended in section 1 of the original bill as amended, on page 2, beginning at line 5 of the amendment, which in the printed bill is page 2, beginning on line 32, by inserting after the word "act," a comma ",";

Be further amended in section 1 of the original bill as amended, on page 2, beginning at the end of line 5 of the amendment, which on the printed bill is page 2, beginning on line 33, by inserting after the word "and" the words "(matter deleted)" and by italicizing the word "on" appearing in said line 33;

Be further amended in section 1, page 2 of the original bill as amended, beginning at line 7 of the amendment, which is page 2, beginning on line 35 of the printed bill, by inserting after the word "and" the words "(matter deleted)" and by italicizing the word "on" appearing at the beginning of line 8 of the amendment to the original bill, which is line 35 of the printed bill;

Be further amended in section 1 on page 2, line 22 of the original bill, which is page 3, line 40 of the printed bill, by italicizing the word "for";

And as so amended, do pass.

BROEDER, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 5, 28, 51, and House Joint Memorial No. 6.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 31, beg leave to report that the same has this date been returned from the printer correctly printed.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 7, respectfully report as follows: That House Joint Memorial No. 7 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 10 respectfully report as follows: That House Joint Memorial No. 10 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 be amended as follows:

By striking the word "creating" on line 19, page 1 of the original bill and inserting in lieu thereof the word "creation";

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 do pass.

LEUTHOLD, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 17, 1961.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 15 introduced by Groff, Cotton and Brenner.

Senate Bill No. 16 introduced by Rieder and Sagunsky.

Senate Bill No. 18 introduced by Sagunsky, Cashmore, Cumming, Reardon, McKenna (Fergus), Rieder and Harken.

Respectfully,

ALFRED R. ANDERSON.

MOTIONS AND RESOLUTIONS

Motion was made by Reed that House Bill No. 27 be taken from General Orders and referred to the Committee on Bills. Motion carried.

Motion was made by Reed that House Bill No. 56 be taken from engrossing and placed on General Orders. Motion carried.

Motion was made by Reed that House Bill No. 76 be taken from printing and rereferred to the Judiciary Committee. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Bill No. 15, introduced by Groff, Cotton, Brenner: A bill for an act entitled: "An act to amend section 16-1015 of the Revised Codes of Montana, 1947, Replacement Volume Two (2) as amended by chapter forty-eight (48), Session Laws of Montana, 1957, and chapter two hundred and twelve (212), Session Laws of Montana, 1959, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; providing for an additional levy of four (4) mills for a prescribed period; and providing for a repealing clause." Referred to Committee on Ways and Means.

Senate Bill No. 16, introduced by Rieder, Sagunsky: A bill for an act entitled: "An act to amend section 26-302 of the Revised Codes of Montana, 1947, relating to requirement that big game hunters must wear colored clothing, to provide that big game hunters may wear red or orange or a combination of red, orange or yellow colors on clothing." Referred to Committee on Fish and Game.

Senate Bill No. 18, introduced by Sagunsky, Cashmore, Cumming, Reardon, McKenna (Fergus), Rieder, Harken: A bill for an act entitled: "An act to amend section 69-2701 of the Revised Codes of Montana, 1947, as amended by chapter one hundred thirty-six of the Laws of 1957, and as amended by chapter two hundred seventy-three of the Laws of 1959, relating to the definition of fireworks, and restrictions thereon; exempting certain toy guns, paper caps, signals for railroads or other public or private transportation operations, exempting defense forces of the United States and of the State of Montana and peace officers; exempting blank cartridges for ceremonial, theatrical and athletic events,

and supervised public display of fireworks as provided for in section 69-2702 of the Revised Codes of Montana, 1947, as amended; providing for an effective date of this act; and containing a repealing clause." Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 7, introduced by Jensen (Lake), Loman, Rygg, Lundgren, Spahr: A joint resolution of the Senate and House of Representatives directing the Montana highway commission to adopt the policy of establishing and maintaining roadside parks at convenient locations along present highways and along highways to be constructed in the future. Referred to Committee on Highways.

House Bill No. 171, introduced by Moudree, Cerovski, Nichols: A bill for an act entitled: "An act relating to regulation of traffic; providing that yield-right-of-way signs, not stop signs, shall be erected at entrances to state and federal highways, or intersections, when such entrances or intersections are located outside the limits of incorporated cities and towns, by amending section 92, chapter 263, Laws of 1955, compiled as section 32-2195, R.C.M. 1947." Referred to Committee on Highways.

House Bill No. 172, introduced by Keller, Hazelbaker, Dykstra: A bill for an act entitled: "An act authorizing state employees paid either fully or in part from federal funds, and not subject to the federal retirement system, to become members of the public employees' retirement system of the State of Montana; providing all employees of the Montana army and air national guard to become members on the first day of employment except employees in state service on July 1, 1961 or prior thereto who have filed an election not to become members; providing that employees who have filed their election not to become members may become members at any time while an employee and receive credit for prior service; providing for an effective date of this act; and containing a repealing clause." Referred to Committee on Labor and Compensation.

House Bill No. 173, introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend sections 75-1713.1, 75-1722, 75-1723, 75-4518.1, 75-4527, 75-4516.1 and 75-3801, Revised Codes of Montana, 1947, relating to the school budget; procedures for financing the school budget; restrictions on the school budget; reduction in budget by budget board; providing for a statement of levy requirements; enumerating the budgets comprising the school budget; providing for a non-operating budget for any school district not operating any school; defining terms; providing for a reserve fund for the general fund and transportation fund; providing for financing a deficit from preceding year; providing a method for determining the levies required; fixing the tax levy for each of the budgeted funds; providing for elections for additional levies; prohibiting interpretation as authorizing additional budgets; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

House Bill No. 174, introduced by Picard, Emmons, Lucas, Judge: A bill for an act entitled: "An act authorizing any and all departments of the State of Montana to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the departmental contribution to five dollars (\$5.00) per month for each officer and employee and their dependents." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 175, introduced by Higham, Bashor, Melcher: A bill for an act entitled: "An act providing for hide certificates, recording of certificates and identification of hides; providing definitions; amending section 46-1102, Revised Codes of Montana, 1947, providing a misdemeanor penalty for falsifying a hide certificate or failing to affix the required identification tag; amending section 46-1106, Re-

vised Codes of Montana, 1947, by excluding licensed slaughterhouses from hide licensing requirements; amending section 46-1107, Revised Codes of Montana, 1947, by providing a license fee of twenty-five dollars (\$25.00) for a hide dealer or buyer, to be paid to the livestock commission fund; providing a misdemeanor penalty for acting as a hide dealer or buyer without a license; providing for revocation of such license upon conviction; repealing sections 46-1101, 46-1108, 46-1109, 46-1110, 46-1111, 46-1112 and 46-1113, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; providing an effective date of this act." Referred to Committee on Livestock and Ranges.

House Bill No. 176, introduced by Eskildsen, Twedt: A bill for an act entitled: "An act to amend sections 3-201, 3-227 and 3-228, Revised Codes of Montana, 1947, relating to grain standards, storage and inspection and regulation of grain warehousemen, to provide that trucks and tractor-trailer units shall be included in the definition of "grain dealer"; and to increase the minimum fine for falsifying or failing to make reports or resisting inspection from fifty (\$50.00) dollars to three hundred (\$300.00) dollars; and to increase the minimum fine for failing to obtain a license or continuing to operate without a license from twenty-five (\$25.00) dollars to three hundred (\$300.00) dollars, and to increase the maximum fine for the same violation from one hundred (\$100.00) to five hundred (\$500.00) dollars." Referred to Committee on Agriculture and Irrigation.

House Bill No. 177, introduced by Beam: A bill for an act entitled: "An act to amend section 75-1632, Revised Codes of Montana, 1947, relating to the duties of boards of trustees of school districts; making trustees and janitors responsible for proper maintenance of privies, out-houses and toilets; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 178, introduced by Beam, Schye: A bill for an act entitled: "An act to amend section 75-1630, Revised Codes of Montana, 1947, as amended by chapter 99, Laws of Montana, 1959, by providing for the full payment of all actual costs of a student residing in one school district and attending a public elementary school located in another district; repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Education.

House Bill No. 179, introduced by Kvaalen: A bill for an act entitled: "An act to amend sections 75-3722, 75-3723, 75-1710, and 75-4515, Revised Codes of Montana, 1947, relating to the duties of county treasurer with respect to school funds; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 180, introduced by Hilling, Beam, Pierce, Goan, Crum, Haughey, Rosell, Anderson (Yellowstone): A bill for an act entitled: "An act relating to officers and elections in cities and towns; providing that the period of residence in an area annexed to a city or town shall be counted when determining whether a person is qualified to vote in an election or hold office in such city or town, by amending sections 11-710, 11-713, 11-714, 11-715 and 11-716, R.C.M. 1947." Referred to Committee on Affairs of Cities.

House Bill No. 181, introduced by Keller, Shelden, Haines, Judge: A bill for an act entitled: "An act to amend sections 59-801 and 59-802 of the Revised Codes of Montana, 1947, relating to mileage to be paid to state officers, employees and other classes of persons; to provide for an increase in the mileage payments to members of the Legislative Assembly, state officers, township officers, jurors, witnesses, county agents, state or county officers and employees, and all other persons, except sheriffs, who may be entitled to mileage; containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 182, introduced by Swanz, Hawks, Anderson (Yellowstone), Hanks: A bill for an act entitled: "An act providing that when

the state highway commission constructs a highway through an irrigation project or district and acquires under eminent domain, or otherwise, irrigable land for highway purposes, or acquires land for such purposes which acquisition renders other irrigable land unusable for irrigation, the state highway commission shall pay to the owner of the irrigation project, or to the irrigation district, a proportionate share of the unpaid construction costs, if any, for the irrigable land so acquired, or such irrigable land rendered unusable for irrigation; and providing an effective date for the act." Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 5 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Harper, Kolar, Leuthold, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden. Total 9.

Absent or not voting: None.

Excused: Abel, Cerovski, Etchart, Barnard. Total 4.

House Bill No. 28 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: None.

Excused: Abel, Barnard, Cerovski, Etchart. Total 4.

House Bill No. 51 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling,

Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Haughey, Johnson, Pierce, Seymour, Thompson. Total 5.

Absent or not voting: None.

Excused: Abel, Barnard, Cerovski, Etchart. Total 4.

House Joint Memorial No. 6 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: None.

Excused: Abel, Barnard, Cerovski, Etchart. Total 4.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Wednesday, January 18, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

SEVENTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 18, 1961.

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel and Sullivan (Silver Bow), excused for personal business, and Barnard and Etchart excused due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixteenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred

House Bills Nos. 32, 62, 123 and 44, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 be amended as follows:

Amend section 4 by striking out in lines 26 and 27 on page 3 of the original bill the following words: "improvement, sanitary provisions, and indemnity in case of infectious disease." and inserting in lieu thereof the words and period: "improvement (comma deleted) and sanitary provisions.";

Further amend in section 5 by striking out in lines 15 and 16 on page 4 of the original bill the words "by the (matter deleted) commissioner." and inserting in lieu thereof the words "(matter deleted) by the livestock sanitary board.";

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 be amended as follows:

Amend section 2 on lines 25 and 26 to read: "This act shall remain in full force and effect until December 31, 1962," and add section 3 to read, "All acts and parts of acts in conflict herewith are hereby repealed.";

And as amended, do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do pass.

KELLER, Chairman.

Motion was made by Keller for adoption of the committee report. Substitute motion was made by Healy that further consideration of House Bill No. 141 be indefinitely postponed. Substitute motion lost. Motion for adoption of committee report carried.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 be amended as follows:

Be amended by deleting the comma after the word "treasurer" on line 22 of the original bill, and adding the words "and county and city treasurers," on said line 22 of the original bill immediately following the word "treasurer" and before the word "who";

Be further amended by striking the word "his" on line 22 of the original bill and inserting in lieu thereof the word "their";

Be further amended in line 24 of the original bill by striking the word "his" immediately following the word "under" and inserting in lieu thereof the word "their";

Be further amended in line 24 of the original bill by striking the words "his office" and inserting in lieu thereof the words "their offices";

And as amended, do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 do pass.

NELSTEAD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that House Bill No. 76 be taken from the Judiciary Committee and re-referred to the Committee on Bills for printing. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Bill No. 183, introduced by Kvaalen, Beam, Cerovski, Hibbard, Gustafson: A bill for an act entitled: "An act to amend section 75-2401, Revised Codes of Montana, 1947, as amended by chapter 26, Laws of 1957, relating to the re-election of teachers and providing that any teacher may be retired who has attained the age of sixty-five (65) years and that a board of trustees may continue to employ a teacher until the age of seventy (70) years and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 184, introduced by Smith, Mathers, Coulter: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees and powers and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed." Referred to Committee on Fish and Game.

House Bill No. 185, introduced by Jensen (Lake), Leuthold, Johnson, Nichols, McOmber: A bill for an act entitled: "An act to amend section 3-2407 of the Revised Codes of Montana, 1947, relating to the method in which the Babcock test shall be conducted on milk or cream sold for manufacture, sale or shipment, to provide the commissioner of agriculture with the authority to promulgate necessary rules and regulations for weighing and sampling milk from farm bulk milk tanks and use of composite sample." Referred to Committee on Agriculture and Irrigation.

House Bill No. 186, introduced by Aasheim, Eskildsen: A bill for an act entitled: "An act to amend section 82-1511 of the Revised Codes of Montana, 1947, pertaining to the hail insurance fund by providing for reimbursements to the counties and state." Referred to Committee on State Administration.

House Bill No. 187, introduced by Pierce, Emmons, Seymour, Wayrynen,

Lewis; A bill for an act entitled: "An act to amend sections 4-102 and 4-170 of the Revised Codes of Montana by preventing the canvassing or promotion for the sale or purchase of liquors by agents or representatives of distillers or distributors, except upon license to be issued by the Montana liquor control board and providing that such canvassing or promotion must be limited to brands listed and authorized by the liquor control board; and prohibiting political activity on the part of such agents and representatives and providing a penalty therefor; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 188, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the board of examiners for the payment of certain contract obligations at the Montana state prison, said lands under contract known as Deer Lodge valley farms, payment of lease on certain state and forest lands, payment of taxes on lands under purchase contract and to pay interest on unpaid balance; and providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 189, introduced by Gustafson, Higham: A bill for an act entitled: "An act amending section 46-503, Revised Codes of Montana, 1947, authorizing live inspection by the livestock commission at all slaughterhouses or livestock markets and providing for the marking of hides; providing a misdemeanor penalty for violation of the act; amending section 46-508, Revised Codes of Montana, 1947, authorizing use of certificates of inspection before disposal of hides; containing a repealing clause and effective date of this act." Referred to Committee on Livestock and Ranges.

House Bill No. 190, introduced by Bardanouve, Eskildsen: A bill for an act entitled: "An act to increase the annual license tax of attorneys from five dollars to ten dollars by amending section 93-2010, R. C. M. 1947." Referred to Judiciary Committee.

House Bill No. 191, introduced by Keller, Lucas, Weeks, Baldwin, Melcher: A bill for an act entitled: "An act relating to desertion, abandonment, nonsupport and neglect of wife and children; amending sections 94-301 and 94-304, R. C. M. 1947 to provide that willful nonsupport or neglect of a child or ward under sixteen (16) years old is a felony instead of misdemeanor, in addition to desertion or abandonment; changing the term of imprisonment; protecting each child or ward under sixteen (16) years old instead of fifteen (15) years old; permitting the judge to forfeit bonds to support a child or ward." Referred to Judiciary Committee.

House Bill No. 192, introduced by Bush, Seymour, Lucas, Page, Pierce, Spahr, Stimatz, Coulter: A bill for an act entitled: "An act relating to fish and game; requiring every person to produce for inspection game birds, game animals, fish or fur-bearing animals in his possession upon request of the fish and game director or his representative; requiring persons to stop at fishing and hunting checking stations; providing a penalty." Referred to Committee on Fish and Game.

House Bill No. 193, introduced by Picard: A bill for an act entitled: "An act to amend section 69-2701, R. C. M. 1947, enacted as section 1, chapter 273, Session Laws of 1959, relating to the definition and prohibition of fireworks to provide that it will be unlawful for any individual under twenty-one (21) years of age to possess for sale, sell or offer to sell, within the State of Montana, permissible fireworks as defined; to provide further that it shall be unlawful for wholesalers to sell or offer to sell fireworks, as defined, within the State of Montana." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 194, introduced by Teigen, Twedt, Coulter: A bill for an act entitled: "An act to amend section 82-1519 of the Revised Codes of Montana, 1947, pertaining to the state board of hail insurance by changing the provisions pertaining to the salary of the chairman and per diem,

mileage and compensation of the personnel of the department; repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 195, introduced by Judiciary Committee: A bill for an act entitled: "An act to amend section 25-232, Revised Codes of Montana, 1947, section 25-233, Revised Codes of Montana, 1947, and section 82-503, Revised Codes of Montana 1947, increasing certain fees to be collected by the clerks of the district and supreme courts and providing for the disposition of such of said fees as are collected under said section 82-503 and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 196, introduced by Judiciary Committee: A bill for an act entitled: "An act relating to the judicial department of the State of Montana; providing for the retirement of district court judges and justices of the supreme court, subject to being called into service for certain purposes; creating a judicial retirement fund and holding the same for retirement pay; requiring judges to obtain benefits under sections 68-101 to 68-1320, R. C. M. 1947, before obtaining any benefits under this act." Referred to Judiciary Committee.

House Bill No. 197, introduced by Raundal, Jensen (Lake), Baldwin, Schwinden: A bill for an act entitled: "An act relating to the responsibility of motor vehicle owners and operators; supplementing the provisions of title 53, chapter 4, R. C. M. 1947, to require an owner of a motor vehicle to prove his financial responsibility before the vehicle may be registered by the state registrar of motor vehicles; providing a penalty for violation of the act." Referred to Judiciary Committee.

House Bill No. 198, introduced by Leuthold (by request): A bill for an act entitled: "An act to provide for the furnishing to the producer of a weight information slip obtained from a Montana state inspected and approved scale; to provide for a penalty for non-compliance with the provisions of this act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 199, introduced by Leuthold: A bill for an act entitled: "An act to amend section 3-208, Revised Codes of Montana, 1947, pertaining to charges of public warehousemen—increasing storage charge from one-thirtieth (1/30th) of one cent per bushel to one-twentieth (1/20th) of one cent per bushel." Referred to Committee on Agriculture and Irrigation.

House Bill No. 200, introduced by Hanks, Haines, Reed, (by request): A bill for an act entitled: "An act to appropriate money for experimentation for in-class televised instruction with educational television by the Superintendent of Public Instruction and the Board of Education, ex officio regents of the University of Montana; providing for operational expenses and purchase of capital equipment; providing for selection of schools for experimental work, collection of research data, analyses of educational and economic efficiency, and publication of report; providing for utilization of television systems operated by the University of Montana and the units thereof and/or using time on commercial VHF broadcast stations for the production and transmission of classwork; to provide for experimentation with television as a medium for the transmission of instructions and demonstrations into classrooms of urban and rural schools, thereby enriching existing courses of study and augmenting the curriculum with instruction not now available; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act." Referred to Committee on Appropriations.

House Bill No. 201, introduced by Hawks, Mathers, Nelstead, Stearns, Melcher, Smith: A bill for an act entitled: "An act to provide that any person who removes or causes to be removed from this state any cow, ox, bull, stag, calf, steer, heifer, horse, mule, mare, colt, foal or filly, without an inspection where such inspection is required by law shall be guilty of a felony." Referred to Committee on Livestock and Ranges.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders. Motion carried.

Leuthold of Stillwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 31 be passed for the day.

That House Bill No. 56 be amended in the title by striking the period and quotation marks at the end thereof, and inserting in lieu thereof the words and punctuation “, and amending section 46-801, Revised Codes of Montana, 1947, as amended by chapter 142, Laws of 1957.”;

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Anderson (Yellowstone) moved that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 76 and 84, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 do not pass, but that

Substitute House Bill No. 6, a bill for an act entitled: “An act amending section 59-901 Revised Codes of Montana, 1947, to provide that the governing board or agency head of each state agency shall fix the salaries of all employees below the rank of department head and to provide that the governor shall fix the salaries of heads of all executive state agencies except salaries of heads of institutions governed by the Board of Examiners or Board of Education, salaries of elected officials and salaries appearing as line items in appropriation bills; repealing all acts and parts of acts in conflict herewith and providing an effective date.”

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Memorial No. 5, respectfully report as follows: That House Joint Memorial No. 5 do pass.

PAGE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

Substitute House Bill No. 6, introduced by Committee on State Administration: A bill for an act entitled: "An act amending section 59-901 Revised Codes of Montana, 1947, to provide that the governing board or agency head of each state agency shall fix the salaries of all employees below the rank of department head and to provide that the governor shall fix the salaries of heads of all executive state agencies except salaries of heads of institutions governed by the Board of Examiners or Board of Education, salaries of elected officials and salaries appearing as line items in appropriation bills; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Bills.

House Bill No. 202, introduced by Dykstra, Cerovski: A bill for an act entitled: "An act amending sections 4-119, 4-157 and 4-158, Revised Codes of Montana, 1947, relating to the state liquor control act of Montana; eliminating necessity of placing official seal on packages or cases of wine; repealing all acts and parts of acts in conflict herewith; providing effective date of act." Referred to Committee on Business and Industry.

House Bill No. 203, introduced by Conklin, Reed, Rosell, Goan, Murray, Page, Seymour, Johnson: A bill for an act entitled: "An act providing for the application qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by nonresidents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission; prescribing fees and their disposal; providing penalties for the violation of this act or of any rule or regulation issued by the commission; containing a severability clause; repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by chapter 129, Laws of 1957, chapter 130 Laws of 1957, chapter 131, Laws of 1957, and chapter 132, Laws of 1957; and containing an effective date for this act." Referred to Judiciary Committee.

House Bill No. 204, introduced by Hilling, Beam, Pierce, Goan, Rosell, Crum, Haughey, Anderson (Yellowstone): A bill for an act entitled: "An act to permit an incorporated city or town to prevent the diversion or passage of water through the limits of such city or town in unfenced, open ditches that terminate in such city or town in order to protect persons from drowning, except commercial irrigation ditches; permitting a city or town to declare such a ditch a public nuisance; permitting a city or town to have such an unfenced, open ditch enjoined as a public nuisance if corrective measures are not taken by interested parties." Referred to Affairs of Cities.

House Bill No. 205, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization for refunds on overpayment of inheritance tax, refunds of corporation license

tax and for refunds of cigarette tax; for the district judges; and providing for the supplemental appropriations for the Thirty-Sixth Legislative Assembly; the State Auditor, for county attorneys; the State Auditor, for district judges; the State Board of Examiners; the State Forester; and for the State Capitol P. B. X.; and providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 206, introduced by Bardanoue, Nichols, Eskildsen: A bill for an act entitled: "An act changing the cut-off date for submitting claims for a fiscal year from twenty days following the end of the fiscal year to the end of the fiscal year by amending sections 82-1109 and 59-701, R. C. M. 1947, and section 3, chapter 84, Laws of 1955 compiled as section 59-701.2, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 207, introduced by Nichols, Bardanoue: A bill for an act entitled: "An act relating to the state budget act; changing dates on which the director of the budget shall distribute blanks for preparation of the budget and on which state departments, agencies, university units and custodial institutions shall submit information for the budget, by amending section 2, chapter 158, Laws of 1959, compiled as section 79-1013, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 208, introduced by Haines: A bill for an act entitled: "An act to amend section 75-1305 and 75-1308, Revised Codes of Montana, 1947, relating to the printing and furnishing of copies of the school laws by the Superintendent of Public Instruction; containing a repealing clause and fixing an effective date." Referred to Committee on Education.

House Bill No. 209, introduced by Eskildsen, Daniels, Bashor: A bill for an act entitled: "An act to appropriate money for the construction of facilities necessary for the administration and training of the Montana National Guard." Referred to Committee on Appropriations.

House Bill No. 210, introduced by Blewett (by request), Dykstra (by request): A bill for an act entitled: "An act to be known as the uniform commercial code, revising the law relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; providing for filing fees in certain circumstances; regulating remedies, procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; amending sections 3-226, 5-803, 5-1001, 5-1114, 8-709, 11-2404, 11-3714, 11-3721, 11-3910(b), 13-606, 16-2905, 16-2922, 16-2923, 19-103, 25-231, 32-1905(2), 45-109, 45-112, 45-116, 45-301, 45-308, 45-704, 45-707, 45-809, 45-911, 45-1106, 45-1107, 45-1410, 47-124, 52-114, 52-116, 52-212, 52-312, 52-313, 52-314, 52-319 through 52-323, 53-110, 66-202, 67-1301, 72-211, 72-224, 74-608, 79-1905, 88-152, 88-154, 89-109(2), 93-2802, 93-3403, 93-4301, 93-4302, 93-4307(4), 93-4338, 93-4344, 93-4346, 93-5811, 93-6001, 93-6004, 93-8613, 93-401-22, and 93-1401-7 of the Revised Codes of Montana, 1947; repealing sections 5-1007, 5-1008, 5-1016, 5-1017, 5-1043, 5-1047 through 5-1049, 8-501 through 8-507, 8-816 through 8-818, 14-523, 15-603, 15-605, 15-628 through 15-651, 16-2921, 17-308 through 17-314, 17-601, 17-602, 18-201 through 18-205, 30-601 through 30-609, 45-106, 45-1104, 45-1301 through 45-1305, 52-301 through 52-311, 52-315 through 52-317, 55-101 through 55-1801, 56-107, 65-104, 65-107, 65-115 through 65-126, 65-201 through 65-219, 67-1702 through 67-1704, 72-303, 72-305 through 72-307, 74-201, 74-202, 74-204 through 74-207, 74-321, 74-401 through 74-403, 74-502, 86-705, 86-706, 88-101 through 88-149, 88-156 through 88-160, and 93-4339 of the Revised Codes of Montana, 1947, and all other legislation inconsistent herewith; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 211, introduced by Haughey, Goan, Crum: A bill for an act entitled: "An act amending section 16-4527, as amended, of the Revised Codes of Montana, 1947, pertaining to county water district taxes, by deleting the word 'minimum' wherever it appears in said section, by permitting the board of directors of a county water district to include in its estimate of the amount of money required and the board of commissioners of the county, or city and county, in levying the taxes provided for in said section to include in said estimate and said taxes an amount sufficient to establish reasonable reserve funds for the payment of the principal of or interest on any bonded debt as it becomes due; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date." Referred to Judiciary Committee.

House Bill No. 212, introduced by Schwinden, Bardanouve, Aasheim, Eskildsen: A bill for an act entitled: "An act relating to standards for petroleum products, and the regulation of manufacture and distribution of such products; permitting the Commissioner of Agriculture to determine the standards for all petroleum products sold in Montana and transferring enforcement duties from the Public Service Commission to the Commissioner of Agriculture by creating new sections, by amending sections 60-203, 60-204, 60-210, 60-211, 60-212, 60-213, 60-214, 60-217, 60-219, 60-220 and 60-222, R. C. M. 1947, and by repealing sections 60-206, 60-207, 60-208, 60-209 and 60-221, R. C. M. 1947." Referred to Committee on Business and Industry.

House Bill No. 213, introduced by Beam, Schye: A bill for an act entitled: "An act to amend section 75-4230, Revised Codes of Montana, 1947, as amended by chapter 70, Laws of Montana, 1959, relating to the attendance of high school pupils outside of the county of residence and providing for full payment of all costs by the county of residence to the county of school attended; repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Education.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Thursday, January 19, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

EIGHTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 19, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, excused because of illness, and Hibbard, Regan and Rygg excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

January 18, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 34 and 27, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

January 19, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 49, 95 and 110, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 56.

REED, Chairman.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Joint Resolution No. 8, introduced by Haughey, Pierce, Hilling, Goan, Crum, Schwinden, Anderson (Yellowstone), Beam, Rosell: A joint resolution of the Senate and House of Representatives of the State of Montana requesting the legislative council to develop a general plan for the reorganization of state government for future guidance including necessary amendments to the Constitution, to make specific recommendations for the consolidation and elimination of state agencies, to appoint a bipartisan task force to assist in the study and to report its findings to the Thirty-eighth Legislative Assembly. Referred to Committee on State Administration.

House Joint Resolution No. 9, introduced by Bardanouve, Melcher: A joint resolution of the Senate and the House of Representatives of the State of Montana requesting the State Highway Commission and the State Board of Prison Commissioners to work out a program for the manufacture of highway marking signs and signposts at the state prison. Referred to Committee on State Administration.

House Bill No. 214, introduced by Anderson (Yellowstone), Goan, Daniels: A bill for an act entitled: "An act to amend section 84-1819 of the Revised Codes of Montana, 1947, relating to penalties for unlawfully obtaining refunds of gasoline tax and providing for the payment of tax before application for refund; and containing a repealing clause." Referred to Committee on Business and Industry.

House Bill No. 215, introduced by Keller, Shelden, Stimatz, Higham: A bill for an act entitled: "An act to amend section 59-538 of the Revised Codes of Montana, 1947, relating to the per diem allowance paid to persons in the state service for time engaged in travel; to provide that they shall be paid for the time engaged in travel, ten dollars (\$10.00) per day for travel within the state and fifteen dollars (\$15.00) per day for travel outside the state." Referred to Committee on State Administration.

House Bill No. 216, introduced by Anderson (Yellowstone), Haughey, Bashor, Regan: A bill for an act entitled: "An act to amend section 60-145, Revised Codes of Montana, 1947, relating to the oil and gas conservation commission, privilege and license tax, quarterly statements, penalties—drilling permit fees—oil and gas conservation fund; providing for an assessment on all crude petroleum and natural gas produced, saved and marketed or stored within the state of Montana, or exported from the state of Montana, for the purpose of providing funds for defraying the expenses of operation of the oil and gas conservation act and the expenses of the oil and gas conservation commission; providing that the oil and gas conservation commission shall fix the amount of such assessments in the first instance, and may, from time to time, reduce or increase the amount of said assessments as the expenses against the oil and gas conservation fund may require, and providing limitations upon the amount of said assessments; providing that the same factor shall be used in fixing the amounts of assess-

ments; providing that payment of such assessments shall be made by the producers of said crude petroleum and natural gas and providing the reimbursement to said producers for such payments made on crude petroleum and natural gas produced for others; defining the word "lease" used therein: declaring leases owned or operated by one lessee which are affected by one particular unit agreement shall be considered as one lease relative to payments to be made under this section; providing that the commission may appoint a secretary and employ such other experts, assistants, clerks, and stenographers as may be necessary to perform the duties required of it and fix their compensation: repealing all acts and parts of acts in conflict therewith and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 217, introduced by Regan, Gustafson, Bashor, Lombardi, Schye, Dykstra, Seymour, Blewett: A bill for an act entitled: "An act to amend section 53-106, Revised Codes of Montana, 1947, as last amended by section 1, chapter 245, Laws of 1959, relating to number plates, to provide that all number plates furnished by the state shall be treated with a reflectorized background material, and providing for an additional registration fee; and amending section 53-122, Revised Codes of Montana, 1947, relating to registration fees of motor vehicles and their disposition to provide that the registration fee described in section 53-106 as amended herein shall be disposed in, and paid into, the motor vehicle recording fund of the Registrar of Motor Vehicles." Referred to Committee on Highways.

House Bill No. 218, introduced by Schwinden, Bashor: A bill for an act entitled: "An act amending section 69-3304, Revised Codes of Montana, 1947, relating to geophysical exploration and referring to proper plugging of 'shot holes' and restoration of surface around same to original condition as items of damage; providing effective date." Referred to Committee on Business and Industry.

House Bill No. 219, introduced by Stimatz, Mernin: A bill for an act entitled: "An act relating to special powers of county commissioners to deed land for parks; authorizing such commissioners to deed land to cities and towns, in addition to the state and federal government, for public parks or recreational grounds, by amending section 16-1131, R. C. M. 1947; containing a general repealer clause; containing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 220, introduced by Higham, Hawks, Spahr, Kvaalen, Leuthold: A bill for an act entitled: "An act to permit the reorganization of the public elementary and secondary school system of the state of Montana; providing for the creation of the Montana school reorganization commission and a county redistricting committee in each county to accomplish the territorial and administrative reorganization of the school districts of the state and defining the powers, duties and procedures of the same; providing the minimum qualifications for school districts, the methods of creating, abolishing and dissolving the same and the distribution of the property and indebtedness thereof; providing the qualifications, mode and time of election and powers and duties of school district trustees; providing the method of acquisition and disposition of school sites and other school property; and providing a procedure for the holding of all school elections other than bond elections." Referred to Committee on Education.

House Bill No. 221, introduced by Loman, Bradford, Seymour, Leuthold: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as amended by chapter 177, Laws of 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the state of Montana; providing for salary increases and change in qualifications; and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 222, introduced by Bardanouve: A bill for an act entitled: "An act to repeal section 3-2703, R. C. M. 1947, providing for an annual \$20,000.00 appropriation for rodent control." Referred to Committee on Livestock and Ranges.

House Bill No. 223, introduced by Page, Johnson, Broeder, Stearns, Crum, Hilling: A bill for an act entitled: "An act to provide for the transfer of excess moneys in the veterans' compensation fund to the general fund by providing that the Board of Examiners shall determine the amount of the lawful claims against said fund; empowering the Board of Examiners to require reports from the director of the adjusted compensation division; and providing that the Board of Examiners shall order the State Treasurer to transfer all moneys in the veterans' compensation fund in excess of the amount of claims against said fund to the general fund." Referred to Committee on Ways and Means.

House Bill No. 224, introduced by Page, Johnson, Stranahan, Nelstead, Stearns, Broeder, Crum, Schye, Loman: A bill for an act entitled: "An act providing for the transfer to the general fund of the State of Montana, the sum of \$130,000 constituting the surplus in the oil and gas conservation fund over and above the amount actually required to carry out the purposes for which said fund was created; requiring the State Treasurer to withdraw from the oil and gas conservation fund said sum of \$130,000 and to deposit the same to the credit of the general fund; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 225, introduced by Page, Stearns, Stranahan, Nelstead, Gustafson, Broeder, Crum, Hilling, Loman, Schye: A bill for an act entitled: "An act providing for the transfer to the general fund of the State of Montana the sum of \$200,000 constituting the present surplus in the state aviation fund over and above the amount actually required to carry out the purposes for which said fund was created; requiring the State Treasurer to withdraw from the state aviation fund said sum of \$200,000 and to deposit the same to the credit of the general fund; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 226, introduced by Page, Stearns, Johnson, Broeder, Nelstead, Schye, Crum, Hilling, Loman: A bill for an act entitled: "An act to provide for the transfer to the general fund of the State of Montana the sum of one million five hundred thousand dollars (\$1,500,000) constituting the surplus in the hail insurance reserve fund over and above the amount actually required to accomplish the purposes for which said fund was created; requiring the State Treasurer on the effective date of this act to withdraw said sum of one million five hundred thousand dollars (\$1,500,000) from the hail insurance reserve fund and to deposit the same to the credit of the general fund; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 227, introduced by Page, Johnson, Stearns, Schye, Nelstead, Hilling, Broeder, Crum: A bill for an act entitled: "An act permanently suspending the powers of the state board of hail insurance and certain other state and county officers to effect crop hail insurance; requiring said board to liquidate and wind up its operations, business and affairs on or before June 30, 1961; providing for the disposition of the physical property, records and files of said board; requiring the State Treasurer to transfer to the state general fund all unencumbered balances as of July 1, 1961, in the state hail insurance reserve fund, the hail insurance administrative fund and all other funds of said board; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 228, introduced by Spahr, Bradford, Conklin: A bill for an act entitled: "An act to appropriate money to the State Hospital from the special alcoholism fund established by section 4-123, R. C. M. 1947, as amended, for the detention, care and treatment of inebriates." Referred to Committee on Appropriations.

House Bill No. 229, introduced by Spahr, Bradford, Conklin: A bill for

an act entitled: "An act relating to the amount and use of the fee to obtain an individual permit to purchase liquor; amending section 4-123, R. C. M. 1947, to provide that such fee shall be increased to one dollar and fifty cents (\$1.50), to provide that one dollar (\$1.00) of the fee shall be placed in a fund and used only for the support of a program to prevent alcoholism and treat inebriates in Montana, and to provide that appropriations for such purposes shall be made from such fund." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 230, introduced by Anderson (Yellowstone), Daniels: A bill for an act entitled: "An act creating the Montana board of shorthand reporters, its purpose and defining 'certified shorthand reporter'; providing for appointment to the board and qualifications; providing for terms of office on the board, its officers and bond of treasurer; providing powers of the board, qualifications of applicants, examinations, examination fee, expenses of the board, disposition of fees, reciprocal privileges; providing for revocation of licenses, penalty and certification; repealing all acts and parts of acts in conflict herewith; providing an effective date of the act." Referred to Judiciary Committee.

House Bill No. 231, introduced by Broeder, Conklin, Daniels, Loman: A bill for an act entitled: "An act to amend section 66-114 of the Revised Codes of Montana of 1947, which was enacted as section 2 of chapter 190 of the Laws of 1953 and was amended by section 2 of chapter 68 of the Laws of 1957, relating to the maximum rates of compensation which may be paid by the state, counties, cities and school districts to architects for services rendered in planning and construction of public buildings, by increasing certain maximum fees therein set forth, by adding gymnasiums to the buildings listed in conventional types of buildings, and by providing the maximum fees designated therein shall apply to individual buildings within a project and to individual contracts for the same building, and to amend section 66-115 of the Revised Codes of Montana of 1947, which was enacted as section 3 of chapter 190 of the Laws of 1953, relating to payment by the state, counties, cities, and school districts to architects for extra services and providing when all compensation due architects may be distributed and paid, by adding certain clarifying language and by providing architects shall be paid in accordance with the compensation schedule for work requested by the owner but abandoned by the owner in whole or in part; repealing all acts and parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Business and Industry.

House Bill No. 232, introduced by Lucas, Picard, Hazelbaker, Sullivan (Deer Lodge), Harper, Judge: A bill for an act entitled: "An act to amend section 11-1912 of the Revised Codes of Montana, 1947, as amended by chapter 183 of the Session Laws of the State of Montana, 1949, as amended by chapter 107 of the Session Laws of the State of Montana, 1959, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 233, introduced by Anderson (Yellowstone): A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however, described, and providing that this act may be cited as 'the 1961 bond validating act'; containing a repealing clause and providing an effective date." Referred to Judiciary Committee.

THIRD READING OF HOUSE BILLS

House Bill No. 56, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 56 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkens-tern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Haines. Total 1.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

CONSIDERATION OF GENERAL ORDERS

Anderson (Yellowstone) moved that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Nichols of Ravalli in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 31 be amended in the title by striking the period and quotation at the end of the title, and adding the following: "and providing an effective date.";

Be amended further by adding Section 3 to read as follows: "That this Act shall be in full force and effect from and after its passage and approval."; and as amended, do pass.

That House Bill No. 32 be amended in the title by striking the period and quotation at the end of the title, and adding the following: "and providing an effective date.";

Be amended further by adding Section 3 to read as follows: "That this Act shall be in full force and effect from and after its passage and approval."; and as amended, do pass.

That consideration of House Bill No. 62 be passed for the day.

That House Bill No. 123 do pass.

That House Bill No. 44 do pass.

NICHOLS, Chairman.

Motion was made by Nichols for adoption of the committee report. Substitute motion was made by Daniels that House Bill No. 32 be segregated from the committee report. Substitute motion carried. Report adopted, as amended.

Motion was made by Anderson (Yellowstone) that the House recess until 2:15 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

January 18, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. Sub. 6, 109, 111, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

January 19, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 96, 21, 141, House Joint Memorials Nos. 5, 7 and 10, and House Joint Resolution No. 6, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do not pass, but that

Substitute House Bill No. 47: A bill for an act entitled: "An act to amend section 82-1504 of the Revised Codes of Montana, 1947, pertaining to the crop lien securing hail insurance by cancelling liens filed for record before 1940."

Do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass, but that

Substitute House Bill No. 48: A bill for an act entitled: "An act to cancel the tax lien provided for by the hail insurance act where the tax lien was filed for record before 1940; and providing that conflicting acts herewith are repealed."

Do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do not pass.

KOLAR, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Substitute House Bill No. 47, introduced by the Committee on Townships and Counties: A bill for an act entitled: "An act to amend section 82-1504 of the Revised Codes of Montana, 1947, pertaining to the crop lien securing hail insurance by cancelling liens filed for record before 1940." Referred to Committee on Bills.

Substitute House Bill No. 48, introduced by the Committee on Townships and Counties: A bill for an act entitled: "An act to cancel the tax

lien provided for by the hail insurance act where the tax lien was filed for record before 1940; and providing that conflicting acts herewith are repealed." Referred to Committee on Bills.

House Bill No. 234, introduced by Dykstra, Loman, Haines: A bill for an act entitled: "An act to amend section 40-3126, Revised Codes of Montana 1947, as added by chapter 286, Session Laws of 1959, relating to investments of insurance companies in real estate mortgages; providing for an effective date for this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 235, introduced by Hazelbaker: A bill for an act entitled: "An act to amend section 92-1001, Revised Codes of Montana, 1947, and section 92-1002, Revised Codes of Montana, 1947, section 92-1006, Revised Codes of Montana, 1947, relating to the election of employers to become subject to compensation plan No. 2 and relating to the filing of records pertaining thereto with the Industrial Accident Board of the State of Montana; clarifying the Workmen's Compensation Act with respect to the exclusion of public corporations and those contracting with public corporations from employers who may elect to be bound by plan No. 2; providing for the filing of records relating to the election of employers to be bound by plan No. 2 upon records prescribed by the board, and providing for the filing of certificates of insurance in lieu of insurance policies; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor and Compensation.

House Bill No. 236, introduced by Daniels: A bill for an act entitled: "An act prohibiting persons committed to the state prison from holding hostages or from unlawfully holding persons against their will and fixing the penalty therefor; and providing for an effective date." Referred to Judiciary Committee.

House Bill No. 237, introduced by Daniels: A bill for an act entitled: "An act to amend section 94-602, R. C. M., 1947, concerning the crime of assault in the second degree to provide for increasing the punishment by imprisonment in the state prison for six (6) instead of five (5) years." Referred to Judiciary Committee.

House Bill No. 238, introduced by Daniels: A bill for an act entitled: "An act providing for the time of commencement of term of imprisonment in the state prison fixed by judgment rendered when person then under sentence of commitment to the state prison; and to provide for an effective date." Referred to Judiciary Committee.

House Bill No. 239, introduced by Daniels: A bill for an act entitled: "An act relating to deadly weapons; prohibiting the carrying or possession of deadly weapons by persons committed to the Montana State Prison and fixing the penalty therefor; and providing for an effective date." Referred to Judiciary Committee.

House Bill No. 240, introduced by Haughey, Haines, Anderson (Yellowstone), Seymour: A bill for an act entitled: "An act to provide for the creation, organization and management of metropolitan improvement districts in thickly populated areas; authorizing the boards of county commissioners throughout the State of Montana, where the improvements contemplated will, or the properties which will be benefited by such improvements, lie in a thickly populated area partly within and partly without the boundaries of an incorporated city, town or municipality, to create such districts in the county of their jurisdiction for the purpose of building, constructing, maintaining or replacing any one or any combination of the following improvements: Alley or street paving and base material, curbs, gutters, sidewalks, cross-walks, culverts, bridges, sanitary sewers, storm sewers, drains, man-holes, water works, water mains, water pipes, hydrants, light systems, retaining walls, fences along or lining of any material in ditches, canals, drains, rivers, streams or other water courses, covered conduits which can be installed in but yet convey the water flowing in ditches, canals, drains,

rivers, streams or other water courses; authorizing said boards to contract with respect to said improvements, to issue warrants or bonds in payment therefor and to levy against all benefited land special assessments constituting a lien on such land for the purpose of retiring such warrants or bonds; prescribing the procedures to be followed, the hearings to be conducted, and the notices to be given in connection with such districts and improvements; authorizing said boards to accept contributions from the United States or any other source for the purpose of defraying all or any part of the cost of said improvements; preserving the right, where no metropolitan district has been established for the construction or maintenance of a desired improvement, to create improvement districts under other provisions of the Revised Codes of Montana, 1947, for the purpose of making such desired improvements; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 241, introduced by Anderson (Yellowstone), Daniels, Harper, Goan, Thompson: A bill for an act entitled: "An act to amend sections 10-611 and 10-633, Revised Codes of Montana, 1947, relating to hearings had in juvenile courts: Providing for the admission of the general public and publicity in certain cases; repealing all acts or parts of acts in conflict herewith, and providing for an effective date of this act." Referred to Judiciary Committee.

House Bill No. 242, introduced by Daniels: A bill for an act entitled: "An act to be known as the Montana water well contractor's license act; declaring that the drilling or making of water wells is a business affecting the public interest; creating the water well contractor's examining board of the State of Montana; providing for its members, terms, oath, seal and employees; providing for the powers and duties of the board; providing for the issuance of licenses by the board and fees to be charged therefor; providing for the term of the license year; providing for examination and qualifications of applicants for licenses; providing for a bond to be approved by the board; providing for revocation and suspension of licenses; providing for appeals for licensees from decisions of the board; providing that no action or counterclaim can be maintained except by licensee; repealing all acts and parts of acts in conflict herewith; providing an effective date of the act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 243, introduced by Seymour, Murray, Bradford, Healy, Keller, Conklin: A bill for an act entitled: "An act to amend section 11-1832 of the Revised Codes of Montana, 1947, relating to a minimum wage to be paid police officers in cities of the first and second class; providing the amount of such minimum wage; providing for an annual percentage increase; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 244, introduced by Conklin, Haines, Broeder, Sullivan (Silver Bow): A bill for an act entitled: "An act to provide for the vocational rehabilitation of industrially injured workmen; providing for the allocation of funds therefore from the industrial insurance fund; providing for the voluntary participation of employers and insurers coming under plan one and plan two of the Workmen's Compensation Act; and providing for the administration thereof by the Division of Vocational Rehabilitation of the Montana State Board of Education; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor and Compensation.

House Bill No. 245, introduced by Haines, Judge, Picard: A bill for an act entitled: "An act relating to credit unions; creating new sections to provide a comprehensive revision and consolidation of the laws of the State of Montana relating to credit unions; regulating the incorporation, formation, operation and supervision of the affairs of credit unions; and repealing title 14, chapter 1, Revised Codes of Montana, 1947, as amended, and all other acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 246, introduced by Stimatz, Judge: A bill for an act entitled: "An act to amend section 92-502, Revised Codes of Montana, 1947, as last amended by chapter 170 of the Montana Session Laws of 1953, relating to the vesting of escheated property in the state and the time of vesting thereof; providing a presumption of failure of title: providing for payment of certain expenses of escheats by the treasurer upon the judgment of escheat; providing for discovery; repealing acts in conflict; providing an effective date." Referred Judiciary Committee.

House Bill No. 247, introduced by Raundal, Leuthold, Haughey, Hanks: A bill for an act entitled: "An act relating to agricultural seeds; amending section 3-802, R. C. M. 1947, to provide for prohibition of certain grass mixtures and permitting others; providing a definition; containing an effective date." Referred to Committee on Agriculture and Irrigation.

House Bill No. 248, introduced by Sullivan (Silver Bow): A bill for an act entitled: "An act to amend section 11-3518, revised codes of Montana to provide for protection of tenure and police reserve fund rights for police officers in cities and towns which become merged into consolidated county municipalities." Referred to Committee on Affairs of Cities.

House Bill No. 249, introduced by Sullivan (Silver Bow): A bill for an act entitled: "An act to amend section 11-3523, Revised Codes of Montana, to provide for the continuance, creation, support, financing, dissolution, management and change of boundaries of voluntary fire districts in consolidated county municipalities; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 250, introduced by Sullivan (Silver Bow): A bill for an act entitled: "An act to amend section 11-3524, Revised Codes of Montana to provide for protection of tenure, disability and pension fund rights for firemen in cities and towns which become merged into consolidated county municipalities." Referred to Committee on Affairs of Cities.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders. Motion carried.

Nichols of Ravalli in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 76 be amended in the Title, by inserting immediately after the comma following the figure "1947" in the sixth line of the printed bill, which is the fifth line of the original bill, the following: "As amended by section 1, chapter 3, Laws of 1955,"; and as amended, do pass.

That House Bill No. 84 be amended in the Title, by striking out in line 3 the words "as amended,"; and

Be further amended, in Section 1 by striking out in line 2 of the printed bill, which is line 16 of the original bill, the words "as amended"; and as amended, House Bill No. 84 do pass.

That House Bill No. 83 be amended in the Title by deleting the period and quotation marks after the word "license" in the last line thereof, and inserting a semi-colon and the following language and punctuation: "and repealing all acts and parts of acts in conflict herewith." "; and as amended, do pass.

NICHOLS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 11, respectfully report as follows:

That House Bill No. 11 be amended as follows:

Amend body of bill by striking out the words "or more" in Line 21; and as amended, do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 74, respectfully report as follows:

That House Bill No. 74 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 160, respectfully report as follows:

That House Bill No. 160 do pass.

KVAALEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Keller that House Bill No. 174 be taken from the Committee on Public Health, Welfare and Safety and referred to the Committee on State Administration. Motion carried.

Motion was made by Anderson (Yellowstone) that the House adjourn until 11:00 a. m., Friday, January 20, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

NINETEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 20, 1961

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, excused because of illness, and Seymour excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 31, 123 and 44.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 be amended as follows:

Amend body of bill by adding on line 25 on page 1 after the word "bear", strike the period, add a comma and insert the following words and punctuation, "which need have removed and take from the carcass only the head and/or the hide of such bear." and as amended, do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do pass.

HAINES, Chairman.

Motion was made by Haines for adoption of the committee report. A roll call vote was requested, and that there be a Call of the House. A sufficient number of seconds arose, and the Speaker ordered a Call of the House. After roll call, progress having been reported, Haines moved that the Call of the House be dispensed with. Motion carried.

Substitute motion was made by Hazelbaker that further consideration of House Bill No. 46 be indefinitely postponed and that there be a roll call vote on the substitute motion, the results thereof to be spread on the Journal. There being a sufficient number of seconds, roll call vote followed, to-wit:

Ayes: Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bashor, Beam, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Falkenstein, Goan, Gustafson, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schye, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow) Swanz, Thompson, Wright. Total 57.

Noes: Aasheim, Abel, Anderson (Madison), Bardanoue, Barnard, Bentz, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Haines, Hanks, Harper, Judge, Lucas, McOmber, Mernin, Moudree, Page, Picard, Reed, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 35.

Absent or not voting: None.

Excused: Etchart, Seymour. Total 2.

Substitute motion to indefinitely postpone further consideration of House Bill No. 46 carried.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 4, respectfully report as follows: That House Joint Memorial No. 4 do not pass.

LOMAN, Chairman.

Motion was made by Loman for adoption of the committee report. Substitute motion was made by Melcher that House Joint Memorial No. 4 be printed and placed on General Orders. Melcher requested a roll call vote, the results thereof to be spread on the Journal. A sufficient number of seconds arose, and a roll call vote was taken, as follows:

Ayes: Aasheim, Abel, Bardanoue, Bradford, Brenner, Cеровski, Conklin, Coulter, Daniels, Edwards, Emmons, Eskildsen, Hall, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Nelstead, Picard, Raundal, Regan, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 38.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Falkenstern, Goan, Gustafson, Haines, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Page, Pierce, Reed, Reinecke, Rosell, Rygg, Schye, Smith, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 51.

Absent or not voting: Barnard, Spilde. Total 2.

Excused: Etchart, Nichols, Seymour. Total 3.

Substitute motion failed to carry. Original motion for adoption of the committee report carried. Report adopted.

January 19, 1961

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill Nos. 83 and 84.

REED, Chairman.

MESSAGES FROM THE SENATE

January 19, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day read third time and concurred in, title and history agreed to, and is herewith returned to the House.

House Bill No. 13, introduced by Nichols, Haines, Bardanouve, Hanks, Hazelbaker, Loman, McOmber and Cerovski.

Respectfully,
ALFRED R. ANDERSON,
Secretary to the Senate.

January 19, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 32, introduced by Committee on Banking and Insurance.

Senate Bill No. 42, introduced by Cotton, Thiessen, Nees and Edwards.

Senate Bill No. 59, introduced by Mahoney, Dussault, Groff, Cumming and Durkee.

Senate Bill No. 58, introduced by Mahoney, Dussault, Groff, Durkee and Cumming.

Senate Bill No. 71, introduced by Sagunsky and Edwards.

Senate Bill No. 47, introduced by Bovey.

Senate Bill No. 33, introduced by Committee on Banking and Insurance.

Senate Bill No. 48, introduced by Bovey.

Senate Bill No. 14, introduced by Beley, Goodwin, Rostad, Balgord, O'Neill, Dussault, Harken, Newman and Cashmore.

Senate Bill No. 63, introduced by McKenna (Fergus) and Mahoney.

Respectfully,
ALFRED R. ANDERSON,
Secretary to the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Crum that House Joint Memorial No. 9, reported out of committee this morning with a "do pass" recommendation, be referred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Wright that House Bill No. 167 be taken from the Committee on State Administration and referred to the Judiciary Committee. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

Senate Bill No. 14, introduced by Beley, Goodwin, Rostad, Balgord, O'Neill, Dussault, Harken, Newman, Cashmore: A bill for an act entitled: "An act establishing the Lewis and Clark highway from the junction of highway 93 at Lolo, Montana, to the Idaho-Montana State Line; Repealing

all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 32, introduced by Committee on Banking and Insurance: A bill for an act entitled: "An act to amend section 16-2618 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 50 of the Laws of Montana of 1957, relating to deposit of public funds by county, city and town treasurers, and providing for the substitution of securities pledged for the security of such deposits." Referred to Committee on Business and Industry.

Senate Bill No. 33, introduced by Committee on Banking and Insurance: A bill for an act entitled: "An act to amend section 55-1004, of the Revised Codes of Montana, 1947, relating to inland and foreign bills of exchange." Referred to Committee on Business and Industry.

House Bill No. 251, introduced by Johnson, Bentz, Keller, Thompson: A bill for an act entitled: "An act to amend section 40-3319 as enacted by section 163 of Chapter 286 of the Laws of Montana of 1959, by providing temporary insurance agent licenses." Referred to Committee on Business and Industry.

House Bill No. 252, introduced by Bradford, Anderson (Yellowstone), Blewett, Stimatz: A bill for an act entitled: "An act to amend section 94-2507 (10959), Revised Codes of Montana, 1947, relating to the definition of voluntary and involuntary manslaughter; providing for definition of manslaughter by motor vehicle; and to amend section 94-2508 (10960), Revised Codes of Montana, 1947, relating to punishment for manslaughter by motor vehicle; repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 253, introduced by Bradford, Anderson (Yellowstone), Blewett, Stimatz: A bill for an act entitled: "An act to amend section 94-801-1 (12433), Revised Codes of Montana, 1947, relating to the disposition of fines, costs and forfeitures; by providing for disposition of forfeitures in certain cases to a wife, or guardian or custodian of a minor child; and by repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No 254, introduced by Bradford, Anderson (Yellowstone), Blewett, Stimatz: A bill for an act entitled: "An act to amend section 10-602, Revised Codes of Montana, 1947, relating to the definitions of 'delinquent child'; by providing for additional crimes with which a child over the age of sixteen (16) may be prosecuted in the criminal courts in accordance with the provisions of the criminal laws of this state; and by repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 255, introduced by Kolar, Haughey: A bill for an act entitled: "An act to validate and confirm sales or dispositions heretofore made or attempted to be made by any county of any property in which such county had or claimed any right, title or interest, and all instruments of transfer or conveyance heretofore made or executed by any county, and to declare that all such sales, dispositions and instruments have vested in the grantee or purchaser, as of the date thereof, such right, title and interest as is purported to be transferred by such county in and to the property described or covered; containing a repealing clause and providing for an effective date." Referred to Judiciary Committee.

House Bill No. 256, introduced by Bentz (by request): A bill for an act entitled: "An act to appropriate money for the purpose of repayment of corporation license tax erroneously paid to the State of Montana by the Bank of Belle Fourche of Belle Fourche, South Dakota, and authorizing the repayment of the same from the general fund of the State of Montana." Referred to Committee on Appropriations.

House Bill No. 257, introduced by Hazelbaker: A bill for an act entitled: "An act to amend section 92-605, Revised Codes of Montana, 1947, relating to the presumption of an election by a contractor and his employees to come under an employer's plan of workmen's compensation, and providing, in certain cases, for liability by employers for workmen's compensation benefits to employees of independent contractors engaged by such employers, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor and Compensation.

House Bill No. 258, introduced by Hazelbaker, Broeder, Hilling, Conkline, Cerovski: A bill for an act entitled: "An act to amend section 53-617, replacement volume No. three (3), Revised Codes of Montana, 1947, as amended by section 1, chapter 103, Laws of 1959, relating to a sales tax on new passenger vehicles, by clarifying said section by specifically stating that new passenger motor vehicles are subject to a sales tax even when in the state on the first day of January and are not subject to any other assessment or taxation; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 259, introduced by Judge, Jensen (Lake), Schwinden, Bardanoue: A bill for an act entitled: "An act to encourage and promote industrial and economic development in Montana creating a utilization research laboratory and funds; appropriating funds to continue and promote experiments for the utilization and development of suitable and potentially useful materials indigenous or adaptable to growth in this state; providing for the establishment of a utilization research laboratory; repealing conflicting acts." Referred to Committee on Appropriations.

House Bill No. 260, introduced by Nichols, Burrell, Jensen (Lake): A bill for an act entitled: "An act to amend section 84-1817 of the Revised Codes of Montana, 1947, relating to the distribution of state highway construction funds to provide that boards of county commissioners may withdraw state highway construction funds credited to their respective counties under existing formulas, and to provide that the boards of county commissioners shall use said funds for construction, reconstruction and maintenance of adequate secondary roads of standards set by such boards of county commissioners; and providing for an effective date." Referred to Committee on Highways.

House Bill No. 261, introduced by Stimatz: A bill for an act entitled: "An act relating to special powers of county commissioners to levy taxes for civic centers, youth centers and recreation centers; authorizing a two (2) mill levy instead of a one (1) mill levy, by amending section 16-1179, R. C. M. 1947; containing a general repealer clause; containing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 262, introduced by Cerovski, Bardanoue, Abel, Twedt: A bill for an act entitled: "An act to appropriate money from the highway fund to construct a bridge across the Missouri river." Referred to Committee on Appropriations.

House Bill No. 263, introduced by Leuthold, Hanks, Higham, Melcher, Jensen (Lake): A bill for an act entitled: "An act to provide for the regulation of the distribution of commercial and customer-formula feeds for animal consumption; providing for the administration of the act by the commissioner of agriculture; providing for the registration of commercial feeds with the commissioner of agriculture; providing that commercial feeds distributed in this state must bear a label containing the feed's weight, name, guaranteed content analysis, name of distributor; providing that customer-formula feeds shall be labeled by invoice; providing, that labels of commercial or customer-formula feeds indicate any medication included in such feeds; providing for the payment of inspection fees on commercial feeds to the commissioner of agriculture; providing for the invoicing of customer-formula feeds; defining and prohibiting the adulteration of commercial and customer-formula feeds; defining and prohibiting the misbranding of commercial and customer-formula feeds; providing for

inspection and analysis of commercial and customer-formula feeds, and the business records required to be kept by the act; providing authorization for the commissioner of agriculture to promulgate rules and regulations for the administration of this act; providing for condemnation or confiscation of feeds distributed in violation of this act; providing penalties for the violation of this act are misdemeanors; providing authorization for the commissioner of agriculture to publish information concerning the sale of commercial feeds; providing a severability clause; providing an effective date; and providing for the repeal of sections 3-2001, 3-2002, 3-2003, 3-2004, 3-2005, 3-2006, 3-2007, 3-2008, 3-2009, 3-2010, 3-2011, R. C. M., 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 264, introduced by Wayrynen, Pierce, Seymour, Emmons, Bush, Picard, Mathers, Reinecke, Daniels: A bill for an act entitled: "An act relating to game animals; outlawing contests which are based upon the size or weight of a game animal or part of a game animal; providing a penalty." Referred to Committee on Fish and Game.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 31 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Edwards, Emmons, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Mernin, Murray, Nelstead, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Brenner, Cerovski, Daniels, Eskildsen, Gustafson, Hanks, McOmber, Moudree, Picard, Raundal. Total 10.

Absent or not voting: Bashor, Dykstra, Harper, Lewis, Spahr, Swanz. Total 6.

Excused: Etchart, Nichols, Seymour. Total 3.

The title and history of House Bill No. 44 having been read, Cerovski requested a call of the House. There being a sufficient number of seconds, the Speaker ordered a call of the House. After roll call and progress being reported, Cerovski moved the call of the House be dispensed with. Motion carried.

House Bill No. 44 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Eskildsen, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks, Wright, Mr. Speaker. Total 74.

Noes: Bardanouve, Barnard, Bashor, Bradford, Brenner, Daniels, Em-

mons, Falkenstern, Gustafson, Lombardi, McOmber, Mernin, Schwinden, Shelden, Spahr, Sullivan (Deer Lodge), Twedt. Total 17.

Absent or not voting: Wayrynen. Total 1.

Excused: Etchart, Seymour. Total 2.

House Bill No. 83 was passed by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Baldwin, Barnard, Beam, Bentz, Burrell, Bush, Cerovski, Crum, Falkenstern, Goan, Haines, Hall, Harper, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rygg, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 60.

Noes: Aasheim, Adams, Asbjornson, Bardanouve, Bashor, Blewett, Bradford, Brenner, Broeder, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Gustafson, Hanks, Hazelbaker, Hibbard, Keller, Kvaalen, McOmber, Melcher, Mernin, Moudree, Murray, Picard, Raundal, Rosell, Schwinden, Wright. Total 32.

Absent or not voting: None.

Excused: Etchart, Seymour. Total 2.

House Bill No. 84 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent and not voting: None.

Excused: Etchart, Nichols, Seymour. Total 3.

House Bill No. 123 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Dykstra, Harper, Lewis, Spahr, Swanz. Total 5.

Excused: Etchart, Nichols, Seymour. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 32 be amended in the title in the seventh line thereof in the printed bill, by adding after the word "vehicles" the following words: "of U. S. manufacture";

Be further amended in the title in the last line thereof by adding after the word "herewith" the following words: "providing effective date of act.";

Be further amended in section 1 on line 20 of page 2 of the printed bill, by adding after the word "field" the following words "of U. S. manufacture";

Be further amended by adding after section 2, the following section numbered section 3 to read as follows: "That this act shall be in full force and effect from and after its passage and approval.";

And as amended, House Bill No. 32 do pass.

That further consideration of House Bill No. 62 be passed for the day.

EMMONS, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 1:45 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 76.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do pass.

HIGHAM, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Haughey moved that Substitute House Bill No. 80 be taken from Judiciary Committee and referred to the Committee on Bills for printing. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 265, introduced by Aasheim, Schwinden, Bardanouve, Daniels, Raundal, Cerovski: A bill for an act entitled: "An act to amend section 53-615, R. C. M. 1947, to exempt motor trucks and truck trailers weighing 6,000 pounds or less from the payment of gross vehicle weight fees." Referred to Committee on Highways.

House Bill No. 266, introduced by Hawks: A bill for an act entitled: "An act to amend section 11-1001, Revised Codes of Montana, 1947, as amended by chapter 63, Laws of 1957, providing for the authorization of cities and towns to furnish water to industries and to persons without city limits and for other purposes; repealing all acts or parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 267, introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to amend sections 60-205, 60-206, 60-207, 60-208, 60-209, 60-213, Revised Codes of Montana, 1947, relating to the standards of petroleum products sold, offered for sale, or exposed for sale in Montana; providing new standards of grade, quality and strength of petroleum products sold, offered for sale, or exposed for sale in Montana; changing provisions for sale of summer and winter grade gasoline; providing for the labeling of nonconforming products; and containing a repealing clause." Referred to Committee on Business and Industry.

House Bill No. 268, introduced by Barnard, Schwinden: A bill for an act entitled: "An act to define the time allowed for filing petitions for nominations as being before the hour of five (5) o'clock p.m. on any day not less than forty (40) days before the date of the primary nominating election by amending section 23-912 of R. C. M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 269, introduced by Wright, Stearns, Abel, Lewis: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; and providing for an increase in salaries not to exceed six hundred (600) dollars in certain counties; and containing a repealing clause." Referred to Townships and Counties.

House Bill No. 270, introduced by Barnard: A bill for an act entitled: "The realty certificate act"; providing that an instrument transferring real property interests filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R. C. M. 1947." Referred to Judiciary Committee.

House Bill No. 271, introduced by Dykstra (by request): A bill for an act entitled: "An act to amend section 16-2012 of the Revised Codes of Montana, 1947, relating to bonds issued by counties." Referred to Judiciary Committee.

THIRD READING OF HOUSE BILLS

House Bill No. 76, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren,

Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Abel. Total 1.

Absent or not voting: Haines, Hall, Healy, Wayrynen. Total 4.

Excused: Etchart, Nichols, Seymour. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following.

That House Bill No. 27 do pass.

EMMONS, Chairman.

Motion was made by Emmons for adoption of the committee report. Substitute motion was made by Schwinden that House Bill No. 27 be segregated from the report. Anderson (Yellowstone) requested a roll call vote, the results thereof to be recorded in the Journal. A sufficient number of seconds arose, roll call vote taken, and the substitute motion lost by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Harper, Healy, Jensen (Mineral), Judge, Lewis, McOmber, Moudree, Raundal, Schwinden, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt. Total 25.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 63.

Absent or not voting: Lombardi, Melcher, Mernin, Picard. Total 4.

Excused: Etchart, Seymour. Total 2.

Motion to adopt committee report carried. Report adopted.

Anderson (Yellowstone) moved that the House adjourn until 9:00 a. m., Saturday, January 21, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWENTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 21, 1961

House convened at 9:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, excused due to illness, Daniels, Goan, Hibbard, Regan, Rygg and Thompson, excused for legislative business, Crum, Hilling, Jensen (Mineral), Seymour and Spahr, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We your Committee on Bills, to whom was referred House Bill No. 86, beg leave to report that the same has this date been returned from the printer correctly printed.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 2, respectfully report as follows: That House Joint Memorial No. 2 do pass.

HAINES, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 20, 1961.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Senate Joint Resolution were this day read third time and passed, Title and History agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 36 introduced by Newman

Senate Bill No. 51 introduced by the Committee on Education

Senate Bill No. 55 introduced by Cole

Senate Joint Resolution No. 4 introduced by Committee on Rules.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Schwinden moved that the Speaker be directed to submit to the Attorney General for an opinion, revenue proposals which have come from the Committee on Ways and Means, which seek to transfer funds on hand, in the General Fund. Motion failed to carry.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Joint Resolution No. 10, introduced by Crum, Beam, Cerovski, Anderson (Yellowstone), Rosell, Goan, Schye, Lucas, Haines, Johnson, Mathers, Regan, Hilling, Tim J. Sullivan, Stranahan, Stearns: A Joint Resolution of the House of Representatives and Senate of the State of Montana, requesting the Congress of the United States to propose an amendment to the Constitution of the United States or to call a convention for such purpose. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Memorial No. 11, introduced by Goan: A Joint Memorial of the House of Representatives and Senate of the Thirty-seventh Legislative Assembly of the State of Montana to the Congress of the United States and to the Department of the Interior, urging the Department of the Interior to reconsider its action in closing the southern portion of Yellowstone lake, all of Shoshone lake and Moose river in Yellowstone national park to power boating. Referred to Committee on Fish and Game.

House Joint Memorial No. 12, introduced by Loman, Stearns, Jensen (Lake), Lucas, Broeder, Murray: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; to the Secretary of the Interior; to the chairmen of the Appropriations Committees of the United States Senate and House of Representatives; to the Senate and House of Representatives of the United States in Congress assembled; to the United States army corps of engineers and to the federal power commission, urging that the federal power commission grant the application of a taxpaying enterprise to construct, own and operate the dams and hydroelectric facilities at Buffalo Rapids Sites Nos. 2 and 4 in Lake county and Sanders county, Montana. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 272, introduced by Blewett, Daniels, Haines, Hanks: A bill for an act entitled: "An act to amend sections 66-905, 66-906, 66-910, 66-911, and 66-917 of the Revised Codes of Montana of 1947, the same being sections of the Montana dentistry regulation act; to authorize the state board of dental examiners to recognize certificates granted by the national board of dental examiners in lieu of or subject to examination; to provide for increasing certain fees payable under the provisions of said act, and providing penalties for late payment of fees; to require making and preserving work authorizations for the construction, making, altering or repairing of bridges, crowns, dentures, or other prosthetic appliances or surgical appliances or orthodontic appliances by persons other than licensed dentists; to limit advertising by persons other than licensed dentists employed or engaged in constructing, making, altering or repairing of bridges, crowns, dentures, or other prosthetic appliances or surgical appliances or orthodontic appliances; to provide for injunction suits to enjoin violations of the Montana dentistry regulation act; to limit the publication of professional cards and other advertising by dentists and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 273, introduced by Picard, Healy, Eskildsen: A bill for an act entitled: "An act to provide that, lawn, garden or flower seeds to be offered for sale at wholesale or retail in the State of Montana to be properly tagged and dated to appraise the purchaser of certain information relative to the contents of the seed, weed content, and germination; to prescribe duties of the commissioner of agriculture and the director of the Montana grain inspection laboratory and to provide for penalties for non-compliance with this act." Referred to Committee on Agriculture and Irrigation.

House Bill No. 274, introduced by Page, Schye, Crum, Hilling, Rosell, Nelstead, Thompson, Goan, Haines, Kolar, Pierce, Anderson (Yellow-

stone): A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and domestic savings and loan associations, of amounts paid or credited to members as dividends on their withdrawable accounts, if such amounts paid or credited are withdrawable upon notice of intention to withdraw; and, the amount by which twelve (12) per cent of the total withdrawable accounts at the close of each year exceeds the sum of its surplus, undivided profits, and reserves at the beginning of the taxable year; providing a savings clause; providing an effective date; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 275, introduced by Dykstra, Page: A bill for an act entitled: "An act to amend section 82-1511, Revised Codes of Montana, 1947, relating to the state hail insurance fund and the hail insurance administrative fund and the duties of the state treasurer and the state board of hail insurance, respectively, with respect thereto; requiring that all interest and earnings obtained by the state treasurer for such monies shall be credited to the state general fund; providing an effective date; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 276, introduced by Dykstra, Page: A bill for an act entitled: "An act to amend section 82-1507, Revised Codes of Montana, 1947, as amended by chapter 20, Laws of the Thirty-fifth Legislative Assembly, 1957, relating to the scope and object of the levy for state crop hail insurance and the state hail insurance reserve fund; deleting provisions authorizing refund to farmers of annual state crop hail insurance underwriting profits and requiring transfer thereof to state general fund; providing an effective date; and containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 277, introduced by Nichols, Haines: A bill for an act entitled: "An act to amend section 4-108 of the Revised Codes of Montana, 1947, as amended by chapter 140, Laws of the Thirty-first Legislative Assembly, 1949, as further amended by chapter 183, Laws of the Thirty-second Legislative Assembly, 1951, and as further amended by chapter 235, Laws of the Thirty-fifth Legislative Assembly, 1957, relating to the fixing of salaries of the administrative officers and other employees of the Montana liquor control board; deleting the limitations on the maximum annual salaries that may be paid to the assistant state liquor administrator and other employees of said board; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 278, introduced by Crum, Haughey: A bill for an act entitled: "An act to provide for separate rows or columns to be assigned each of the two major political parties as defined in section 23-1107, R. C. M. 1947; to specify the arrangement of the general election ballot on voting machines; to provide for equal rotation between the two major parties of assignment and placement of party rows; to provide for the row or column placement of the nonpartisan judicial ballot by amending sections 23-1608 enacted as section 1, chapter 20, Session Laws of 1959 and 23-1608A, R. C. M. 1947, enacted as section 2, chapter 20, Session Laws of 1959." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 279, introduced by Hazelbaker, Lord: A bill for an act entitled: "An act to repeal sections 27-401 and 27-402, R. C. M. 1947; 27-403 through 27-407, R. C. M. 1947, as amended by sections 1 through 5, chapter 192, Laws of 1959; 27-408 R. C. M. 1947; 27-409, R. C. M. 1947, as amended by section 6, chapter 192, Laws of 1959; 27-410 R. C. M. 1947, as amended by section 7, chapter 192, Laws of 1959; 27-411 and 27-413 R. C. M. 1947; 27-414 R. C. M. 1947, as amended by section 8, chap-

ter 192, Laws of 1959; 27-415 R. C. M. 1947; 27-416 R. C. M. 1947, as amended by section 9, chapter 192, Laws of 1959; 27-417, 27-418 and 27-420 through 27-425 R. C. M. 1947; 27-426 through 27-429, as enacted by sections 10 through 13, chapter 192, Laws of 1959, relating to supervision of milk industry and providing for transfer of assets, appurtenances and funds of the state milk control board; repealing all acts and parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 280, introduced by Abel, Haines: A bill for an act entitled: "An act to revitalize the state militia relating to the Montana national guard by amending section 77-117, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for the salary of the adjutant general to be set by the state board of examiners and for an assistant adjutant general for army and an assistant adjutant general for air with the rank of brigadier general; by amending section 77-118, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for an increase to five hundred dollars (\$500.00) for the cost bond running to the State of Montana when any suit is commenced against an officer or enlisted man; by amending section 77-121, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for retirement of commissioned officers without pay at age sixty (60) or upon withdrawal of federal recognition by repealing section 77-124, Revised Codes of Montana, 1947, replacement volume 5, as amended; by repealing section 77-137, Revised Codes of Montana, 1947, replacement volume 5, as amended; by repealing section 77-138, Revised Codes of Montana, 1947, replacement volume 5, as amended; by amending section 77-139, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for voluntary retirement without pay of commissioned officers and enlisted men after twenty years of creditable military service; by amending section 77-140, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for medical certificates by medical officers of all services; by repealing section 77-152, Revised Codes of Montana, 1947, replacement volume 5, as amended by amending section 77-156, Revised Codes of Montana, 1947, replacement volume 5, as amended to provide for a fifteen consecutive day annual encampment; by amending section 77-157, Revised Codes of Montana, 1947, replacement volume 5, as amended, to provide for a limitation of fifteen consecutive days on military leaves of absence for state employees; by amending section 77-161, Revised Codes of Montana, 1947, replacement volume 5, as amended to delete the payment of two dollars (\$2.00) daily to each man who requires a horse for encampment; and by providing for the repealing of all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 281, introduced by Spahr, Regan: A bill for an act entitled: "An act to provide for the operation of temporary and emergency war and veteran housing facilities by local agencies." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 282, introduced by Adams, Gustafson: A bill for an act entitled: "An act to provide that the state stock inspector or any other authorized person may seize beef, veal and/or hides when a brand has been mutilated or ownership cannot be determined; to provide for sale of the seized beef, veal and/or hides; to provide for disposition of the proceeds therefrom; and to provide for the rightful owner to make a claim against said proceeds." Referred to Committee on Livestock and Ranges.

House Bill No. 283, introduced by Lundgren: A bill for an act entitled: "An act to amend section 75-1804, Revised Codes of Montana, 1947, relating to limitations in connection with the creation of school districts or in consolidation or changing the boundaries thereof; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 284, introduced by Mernin: A bill for an act entitled: "An act requiring every person, firm, co-partnership, association,

joint stock company syndicate and corporation engaged in working or operating any mine or mining property in the State of Montana from which lignite is mined, produced or extracted, to pay to the state board of equalization for engaging in and carrying on such business, certain license taxes for the exclusive use and benefit of the State of Montana; defining terms, fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof; prescribing penalties for violations of the provisions of this act; and repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 285, introduced by Mernin: A bill for an act entitled: "An act to amend section 84-1302, Revised Codes of Montana, 1947, relating to coal mines license tax and certain exceptions, providing an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 286, introduced by Mernin, Stimatz, Lombardi, Bradford: A bill for an act entitled: "An act to make taxable under the Montana income tax law and the Montana corporation license tax law that portion of the income of nonresident individuals and corporations paid to them in the form of interest or dividends by persons, corporations, partnerships, firms, business trusts, associations and fiduciaries doing business or having income in Montana which is attributable to Montana sources; providing for withholding and payment of the state board of equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the state board of equalization, and penalties for neglect or failure to comply with the provisions of this act." Referred to Committee on Ways and Means.

House Bill No. 287, introduced by Conklin, Sullivan (Silver Bow), Emmons, Seymour, Bush, Haines, Reed: A bill for an act entitled: "An act to amend section 11-1932, Revised Codes of Montana, 1947, pertaining to minimum wages of firemen in first and second class cities by increasing the minimum salary base; and containing a repealing clause." Referred to Committee on Affairs of Cities.

House Bill No. 288, introduced by Keller, Weeks, Regan: A bill for an act entitled: "An act to amend section 27-111, R. C. M. 1947, relating to licenses from the state board of health for manufacturers and purveyors of food and drinks to provide that the state board of health may issue a single license for any combination of five (5) different types of establishments; to provide that the single license shall state the establishments licensed and the total amounts of fees collected." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 289, introduced by Hilling, Pierce, Sullivan (Silver Bow), Healy, Rosell: A bill for an act entitled: "An act to provide that the State of Montana and its agencies and subdivisions may not purchase or contract to purchase material supplies or services, except public utility services, from any corporation or association exempt from the payment of corporation license taxes under section 84-1501, Revised Codes of Montana, 1947; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 290, introduced by Thompson (by request), Harper (by request): A bill for an act entitled: "An act to amend section 84-202, Revised Codes of Montana, 1947, relating to exemptions from taxation, to provide that real property owned by a religious denomination and occupied by licensed or ordained ministers, priests, or rabbis in the full-time employ of the religious denomination shall be exempt from taxation and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 291, introduced by Melcher, Sheldon, Blewett, Emmons: A bill for an act entitled: "An act to amend section 92-714, Re-

vised Codes of Montana, 1947, and section 92-715, Revised Codes of Montana, 1947, as last amended by chapter 234, Laws of 1957, relating to the manner of payment of compensation for industrial accidents, to provide for biweekly payment of industrial accident compensation." Referred to Committee on Labor and Compensation.

House Bill No. 292, introduced by Dykstra, Loman, Haines: A bill for an act entitled: "An act to amend section 40-3831, Revised Codes of Montana, 1947, as added by chapter 286, Session Laws of 1959, relating to nonforfeiture provisions in life insurance policies; providing for an effective date for this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 293, introduced by Dykstra, Murray: A bill for an act entitled: "An act to amend section 91-4201, R.C.M. 1947, relating to the accounting to the court by the trustee of a trust created under a will and the service upon beneficiaries of the notice of the day set for the hearing of the trustee's accounting providing that service upon beneficiaries absent from the state shall be had by mailing to the beneficiary, notice of the time and place of the hearing, at least ten days before the time set for the hearing; and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 294, introduced by Dykstra, Murray: A bill for an act entitled: "An act to amend subsection (1) of section 91-4414 of the Revised Codes of Montana, 1947, relating to the exemptions from the inheritance tax; providing that property transferred to a trust or foundation to be used for religious, charitable, educational or other public purposes within the state, shall be exempt; and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 295, introduced by Blewett, Regan, Conklin, Bradford: A bill for an act entitled: "An act to provide for the payment of license fees for any racing association taking advantage of the provisions of section 94-2425, R.C.M. 1947; providing for collection of said license tax and for the maintainnig of records by said racing associations; designating the county treasurer as the officer to be charged with the responsibility of collecting said license tax and supervising said records to be furnished by said racing association; directing that said license tax shall be paid into the general fund of the State of Montana; excepting from this act, county fair boards; and providing for an effective date of this act." Referred to Committee on Ways and Means.

House Bill No. 296, introduced by Hazelbaker: A bill for an act entitled: "An act to amend section 92-104, Revised Codes of Montana of 1947 as amended by chapter 231 of the Laws of Montana of 1959, relating to the salary of the appointed member of the industrial accident board; repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Administration.

House Bill No. 297, introduced by Rosell, Aasheim, Seymour, Raundal, Mathers, Johnson, Barnard, Stimatz, Beam, Reed: A bill for an act entitled: "An act to amend section 75-2203, Revised Codes of Montana, 1947, relating to the school year and school day; establishing one hundred eighty days minimum per school year; requiring school day to meet state board of education requirements; providing for forfeiture of interest and income funds by school districts not meeting requirements; and repealing section 75-2201, Revised Codes of Montana, 1947." Referred to Committee on Education.

House Bill No. 298, introduced by Loman, Stearns, Jensen (Lake), Conklin: A bill for an act entitled: "An act to provide for the assumption of criminal jurisdiction over certain Indians and their reservations and land as authorized by federal law; providing the time and the method thereof, and the duty of the Governor with respect thereto." Referred to Judiciary Committee.

House Bill No. 299, introduced by Daniels: A bill for an act entitled: "An act repealing sections 80-739, 80-740, and 80-741, Revised Codes of Montana, 1947, relating to commutation of sentence upon good behavior; good behavior allowance for convicts in certain employments, and forfeiture of commutation, with an exception." Referred to Judiciary Committee.

House Bill No. 300, introduced by Daniels: A bill for an act entitled: "An act to amend section 94-7832, Revised Codes of Montana, 1947, relating to sentencing of persons found guilty of a crime or offense, by providing maximum terms of imprisonment for first and multiple offenders excepting those committed for murder, empowering the board of pardons to extend an original term of imprisonment for five years upon court approval, permitting petition to show cause why release on parole would be a threat to petitioner or the community, permitting the use of certain evidence in proceedings on said petition and authorizing petition by the board of pardons for transfer of prison inmates for mental observation and treatment; containing a repealing clause and providing an effective date." Referred to Judiciary Committee.

House Bill No. 301, introduced by Daniels: A bill for an act entitled: "An act to amend section 94-9832, Revised Codes of Montana, 1947, relating to parole authority and procedure, by repealing those provisions therein setting minimum periods of confinement in Montana state prison prior to the expiration of which inmates may not be considered for parole; to repeal section 94-9833, Revised Codes of Montana, 1947, relating to conditional release; to amend section 94-9838, Revised Codes of Montana, 1947, relating to return of parole violators, by removing all references to conditional release; to amend section 94-9839, Revised Codes of Montana, 1947, relating to service of term for additional crime, by removing references to conditional release; to amend section 94-9840, Revised Codes of Montana, 1947, relating to prisoner, parolee, or conditional releasee, by removing references to conditional release, providing for a minimum two year parole period and restoration of civil rights upon discharge from parole or completion of service of sentence and requiring discharge certificates to show such restoration of civil rights; repealing all acts and parts of acts in conflict herewith and containing an effective date." Referred to Judiciary Committee.

House Bill No. 302, introduced by Spahr, Conklin, Bradford: A bill for an act entitled: "An act to appropriate money to the state board of health from the special fund established by section 4-123, R. C. M. 1947, as amended, for the prevention of alcoholism in Montana through the board's alcohol education program." Referred to Committee on Appropriations.

House Bill No. 303, introduced by Hibbard, Hazelbaker, Wright, Anderson (Madison), Smith: A bill for an act entitled: "An act to amend section 84-4942 of replacement volume 5, of the Revised Codes of Montana, of 1947, relating to definitions in the withholding tax act of Montana; providing for a repealing clause and providing for an effective date of this act." Referred to Committee on Ways and Means.

House Bill No. 304, introduced by Jensen (Lake), Loman, Kvaalen, Conklin: A bill for an act entitled: "An act to permit any school board within the State of Montana to accept such authority as may be granted to it by any tribal council of an Indian tribe within the State of Montana to enforce Montana school laws upon any Indian reservation within the State of Montana otherwise subject to the laws and regulations of said tribal council; providing for the enforcement of compulsory school attendance laws when permitted by said tribal council; repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 305, introduced by Crum: A bill for an act entitled: "An act to define the term 'peddler' and other words as used herein, and to provide for the licensing, bonding, and regulation by the secretary of

state of persons carrying on business as peddlers within the State of Montana, and to prescribe the manner of application and the fees for such licenses, and to prescribe procedures hereunder and the powers and duties of the secretary of state in executing and administering the provisions hereof, and to provide penalties for the violation of the provisions hereof, and to provide that with respect to the subject matter hereof the provisions hereof shall be peremptory of the regulatory powers of any other subdivision of government, and to provide for the construction of the provisions hereof, and to provide for the repeal of sections 84-3101 through and including 84-3109 of the Revised Codes of Montana 1947 and all other acts and parts of acts in conflict herewith, and for other purposes." Referred to Judiciary Committee.

House Bill No. 306, introduced by Conklin, Bradford, Spahr, Reincke, Lord: A bill for an act entitled: "An act to amend section 4-421 of the Revised Codes of Montana of 1947 relating to the sale price of liquor sold by licensees and providing that licensees shall not sell liquor for consumption off the licensed premises of the licensee; repealing all acts and parts of acts in conflict and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 307, introduced by Pierce: A bill for an act entitled: "An act relating to tourist camp grounds; amending sections 69-112, 69-113, 69-114, 69-115, 69-116 and 69-117, R.C.M. 1947; changing definitions of grounds regulated to mobile homes parks; creating a state mobile homes park board; requiring a twenty-five dollar (\$25.00) license; changing the fine imposed; giving the mobile homes park board powers formerly vested in the state board of health; providing for enforcement by the state highway patrol." Referred to Judiciary Committee.

House Bill No. 308, introduced by Stimatz, Bradford, Murray: A bill for an act entitled: "An act creating a judicial council; prescribing the appointment and composition thereof, and defining the duties thereof." Referred to Judiciary Committee.

House Bill No. 309, introduced by Rygg, Lord, Stimatz, Emmons, Bradford: A bill for an act entitled: "An act empowering the head of a state agency or institution to negotiate and sign contracts with a labor union and providing that such contracts must be approved as to form by the attorney general and countersigned by the governor." Referred to Committee on Labor and Compensation.

House Bill No. 310, introduced by Melcher, Daniels, Anderson (Yellowstone), Nelstead, Bentz, Harper: A bill for an act entitled: "An act to provide for the creation of special improvement districts including areas outside towns or cities and including areas within incorporated towns, cities and rural areas; to own and operate television translator stations; provide a method to tax all persons who use such stations; for the levy and collection of such taxes; provide for the operation, management and control of such districts; the acceptance of gifts of property or money; for the exemption of certain persons from the provisions of the act; penalties for the violation of the act and repealing all acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 311, introduced by Hilling, Beam, Pierce, Sullivan (Silver Bow), Conklin: A bill for an act entitled: "An act to amend sections 82-1201, 82-1206 and 82-1208, R.C.M. 1947, relating to the creation and appointment of the state fire marshal, assistant state fire marshal and special deputy state fire marshal; to provide that the governor shall appoint the state fire marshal, assistant state fire marshal and deputy state fire marshal and that said appointees shall serve at the pleasure of the governor." Referred to Committee on State Administration.

House Bill No. 312, introduced by Keller, Johnson, Stimatz: A bill for an act entitled: "An act to amend chapter 10, sections 71-1001 through section 71-1008, title 71, of the Revised Codes of Montana, 1947, as

amended by section 1, chapter 42, Laws of 1953, as amended by section 1, chapter 252, Laws of 1955, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, as amended by section 1, chapter 248, Laws of 1959, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955; providing for the transfer of the general supervision and total administration of this chapter from the state department of public welfare to the industrial accident board of the State of Montana; amending section 71-1001 of the Revised Codes of Montana, 1947, by deleting references to the state department of public welfare and referring instead to the industrial accident board; amending section 71-1002 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, by having the amount of payment conform to the amount of payment established by the Legislative Assembly of 1959; amending section 71-1004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, and as amended by section 1, chapter 248, Laws of 1959, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1005 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1006, of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1007 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1008 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 204 of the Laws of 1953, and as amended by section 3, chapter 252 of the Laws of 1955, by deleting references to the state department of public welfare and referring instead to the industrial accident board, and by having the amount of payment conform with the amount established by the 1959 Legislative Assembly; providing for a new section, 71-1009, requiring the transfer of the records and payrolls from the state department of public welfare to the industrial accident board and safeguarding continued payments to present recipients of silicosis benefit payments; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on public Health, Welfare and Safety.

House Bill No. 313, introduced by Stimatz, Daniels, Picard, Shelden: A bill for an act entitled: "An act to provide for the welfare of people who work; establishing a minimum wage for certain employees in the State of Montana; defining terms; providing for the keeping of records; providing civil remedy; providing penalties; repealing conflicting acts; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 314, introduced by Pierce, Spahr: A bill for an act entitled: "An act to amend section 16-912, of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 4 of the Laws of 1949, as amended by section 1 of chapter 100 of the Laws of 1951, as amended by section 1 of chapter 82 of the Laws of 1955, as amended by section 1 of chapter 238 of the Laws of 1957; relating to compensation of members of the boards of county commissioners; providing for compensation of members of said boards according to classification of counties and providing annual salaries according to said classification; providing for compensation of eighteen dollars for each day's attendance on session of boards of counties not within said classification and ten cents per mile

for travel between county seat and place of residence when member is performing his official duties; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 315, introduced by Lucas, Haines, Bush, Sullivan (Silver Bow): A bill for an act entitled: "An act to permit counties to lease property to cities and towns for a term of fifty (50) years by amending section 16-1030, R. C. M. 1947." Referred to Committee on Townships and Counties.

House Bill No. 316, introduced by Page: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1961 and 1962; providing a severability clause and an effective date." Referred to Committee on Ways and Means.

House Bill No. 317, introduced by Jensen (Lake), Keller, Dykstra: A bill for an act entitled: "An act to repeal sections 61-127 to 61-137, both inclusive, of the Revised Codes of Montana, 1947, relating to the adoption of children; to amend section 61-205 of the Revised Codes of Montana, 1947, enacted as section 5, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, to provide that consent to adoption need not be required from a father or mother divorced and who has not contributed to the support of the child for a period of one year if able; and deleting certain exceptions; to amend section 61-210 of the Revised Codes of Montana, 1947, enacted as section 10, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to summary decree of adoption, to provide that the report specified in the previous section remains discretionary; to amend section 61-211 of the Revised Codes of Montana, 1947, enacted as section 11, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to interlocutory and final decrees of adoption, to provide that proper notices be given of the hearing before an interlocutory or summary decree of adoption may be issued; to amend section 61-140 of the Revised Codes of Montana, 1947, relating to procedure for adopting an adult; to provide for proper procedure for adoption of an adult; amending chapter 2, title 61, Revised Codes of Montana, 1947, as amended, by the addition of section 61-218, to provide for the consent of a minor parent; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 318, introduced by Blewett, Daniels, Emmons, E. R. Sullivan, Bradford: A bill for an act entitled: "An act to amend section 92-827, Revised Codes of Montana, 1947, as amended by chapter 170, Laws of Montana, 1959, by providing a limitation in the attorney's fee to be paid; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Judiciary Committee.

House Bill No. 319, introduced by Blewett, Anderson (Yellowstone), Conklin: A bill for an act entitled: "An act to amend section 15-606 of the Revised Codes of Montana, 1947, relating to the provision that five per cent of stock may demand a statement of the affairs of a corporation from the treasurer; by changing the description of the statement to be furnished from a statement embracing a particular account of all the corporation's assets and liabilities in minute detail to a statement of its assets and liabilities in a form ordinarily used and accepted in commercial transactions; and providing an effective date." Referred to Judiciary Committee.

House Bill No. 320, introduced by Edwards: A bill for an act entitled: "An act to amend sections 16-1601, 16-1602, 16-1607 and 16-1626, R. C. M. 1947, relating to rural improvement districts; to provide for the establishment of a special improvement district for the purpose of acquiring by purchase an existing water works; to provide for giving notice of proposed purchases of existing improvements and prescribing said notice." Referred to Committee on Townships and Counties.

House Bill No. 321, introduced by Lundgren, Higham, Murray: A bill for an act entitled: "An act to provide a voluntary consolidation incentive plan for school districts; and providing a repealing clause." Referred to Committee on Education.

House Bill No. 322, introduced by Baldwin: A bill for an act entitled: "An act to amend section 28-603, Revised Codes of Montana, 1947, as amended by section 3 of chapter 40, Laws of Montana of 1955, by providing that the amount authorized to be appropriated from the general fund of the county for fire protection shall not exceed six thousand dollars (\$6,000.00) per year." Referred to Committee on Townships and Counties.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that consideration of General Orders be passed for the day. Motion carried.

Motion was made by Anderson (Yellowstone) that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following changes in Legislative payroll:

C. Lee Donaldson Hoatson, added as mail clerkJanuary 16

Emma Halverson, stenographer resignedJanuary 16

HAZELBAKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 16, respectfully report as follows:

That Senate Bill No. 16 be amended as follows:

Include section 2 on lines 20 and 21 in the title of the Bill;

On line 17 underline "as an exterior garment" and remove comma after "shirt" and before "jacket";

And as amended, be concurred in.

PIERCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Joint Memorial No. 13, introduced by Bardanouve, Cerovski A Joint Memorial to the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold Olsen and James Battin, representatives from the State of Montana, the interior committees of the United States House and Senate and the secretary of the interior, requesting that the national park service be directed to survey that part of the Missouri river lying between Virgelle and Fort Peck dam for the purpose of establishing a national park in this area. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Memorial No. 14, introduced by Barnard, Bardanouve: A Joint Memorial of the House of Representatives and Senate of the State of Montana to the Congress of the United States; the Honorable Mike Mansfield and Honorable Lee Metcalf, senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, representatives from the State of Montana; and the committee on interior affairs and the judiciary committee of the United States Senate and House of Representatives urging the adoption of legislation vesting in the local United States district court jurisdiction to review final administrative action relating to determinations respecting grazing privileges, permits or licenses on any part of the public domain of the United States. Referred to Committee on Livestock and Ranges.

House Bill No. 323, introduced by Broeder (by request): A bill for an act entitled: "An act to provide for issuing temporary permits to unlicensed users of all special fuel vehicles; to provide that said permits shall be issued for a minimum fee of twenty dollars (\$20.00) and shall be valid for a period of time not to exceed seventy-two (72) hours; to provide for a method of collection and disposal of said fees; to provide that the state board of equalization shall furnish said permits and forms and generally enforce this act." Referred to Committee on Highways.

House Bill No. 324, introduced by Edwards: A bill for an act entitled: "An act to amend section 75-4603 of the Revised Codes of Montana of 1947, relating to issuance of bonds by high school districts and providing that bonds may be issued to the full amount permitted by section 6 of article XIII of the Montana Constitution, as amended; and providing an effective date." Referred to Committee on Education.

House Bill No. 325, introduced by Aasheim, Asbjornson: A bill for an act entitled: "An act to amend sections 25-232 and 25-233 of the Revised Codes of Montana, 1947, relating to fees collected by the clerks of the district courts, and increasing said fees." Referred to Judiciary Committee.

House Bill No. 326, introduced by Emmons, Wayrynen, Pierce: A bill for an act entitled: "An act to amend section 84-4906, of replacement volume 5, of the Revised Codes of Montana, of 1947, relating to deductions allowed in computing net income under the Montana income tax law; allowing items in sections 161 and 211 of the internal revenue code of 1954 as deductions; and excepting from deductions state income tax paid and items contained in section 84-4909 of the Revised Codes of Montana, of 1947; allowing federal income tax paid within the taxable year as a deduction; and allowing the Montana cigarette tax under subdivision (1) of section 84-5606 of the Revised Codes of Montana, of 1947, to be deductible by the consumer; providing for a repealing clause; and containing an effective date of this act." Referred to Committee on Ways and Means.

House Bill No. 327, introduced by Anderson (Yellowstone), Hawks, Conklin, Schwinden, Sullivan (Silver Bow), Johnson, Haines, Cerovski: A bill for an act entitled: "An act creating a Montana territorial centennial commission; authorizing such commission to employ staff help, fix salaries and make centennial plans; directing the commission to report to the 1963 Legislature; providing for the duration of the commission; appropriating funds from the general fund for the use of the commission; directing the commission to make a financial report to the 1963 Legislature; providing that the members of the commission shall serve without pay; and naming the governor and lieutenant governor as honorary chairmen of the commission." Referred to Committee on Appropriations.

House Bill No. 328, introduced by Gustafson, Bashor: A bill for an act entitled: "An act relating to traveling expenses of county assessors and deputies; amending section 84-444, R.C.M. 1947, to remove the allowable limits on reimbursement of expenses incurred in the perform-

ance of official duties." Referred to Committee on Townships and Counties.

House Bill No. 329, introduced by Twedt, Schwinden, Bradford: A bill for an act entitled: "An act to amend section 84-4905, Revised Codes of Montana, 1947, as amended by section 1, chapter 260, Montana Session Laws of 1955, pertaining to adjusted gross income for income tax purposes, to include amendments to date to section 62 of the internal revenue code of 1954 and add as income certain patronage dividends, refunds and rebates, and allocations of reserve to patrons from cooperatives, whether paid in cash or otherwise, provided such patronage dividends, refunds and rebates and allocations or reserve represent additional sales proceeds from a marketing cooperative or repayment of deductible expense item by a purchasing cooperative, whether such instruments have a present market value or not and required notification to patron of the dollar amount of such allocation, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 330, introduced by Anderson (Yellowstone), Hazelbaker, Broeder, Cerovski, Bradford: A bill for an act entitled: "An act to provide a comprehensive revision, consolidation and classification of the laws of the State of Montana relating to the supervision, regulation and control of motor carriers transporting property and/or persons upon the public highways of the State of Montana for hire or for a commercial purpose; revising and defining the supervisory and regulatory jurisdiction of the board of railroad commissioners over the operations of such motor carriers; providing for the enforcement of this act and establishing penalties for the violation of this act; classifying and defining motor carriers and providing exemption from this act for certain types of transportation and limiting the regulation of private carriers; establishing certain requirements for the safety, insurance and identification of motor vehicles operated by motor carriers; prescribing the conditions on which the various classes of motor carriers shall operate upon the public highways of the State of Montana and requiring certain certificates and permits for such operations; providing for the application of this act to motor carriers in interstate commerce; providing for hearings, notice, orders and other regulatory procedures, and providing for judicial review of regulatory actions; providing for the imposition and collection of licenses and fees; establishing requirements for the filing and modification of rates and charges by motor carriers; providing for an effective date for this act; repealing sections 8-101 through 8-130 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 331, introduced by Murray: A bill for an act entitled: "An act relating to future interests and the suspension of power of alienation and the period of time during which an interest may be destroyed; to provide that future interests will be void in their creation, which suspends the absolute power of alienation for a period of time longer than twenty-one (21) years after some life in being." Referred to Judiciary Committee.

House Bill No. 332, introduced by Murray: A bill for an act entitled: "An act to repeal section 67-406, R.C.M. 1947, as amended by section 1, chapter 213, Session Laws of 1959, relating to the suspension of the absolute power of alienation; to provide the period in which absolute power of alienation can be suspended." Referred to Judiciary Committee.

House Bill No. 333, introduced by Murray: A bill for an act entitled: "An act to provide the period of time during which an interest may be destroyed." Referred to Judiciary Committee.

House Bill No. 334, introduced by Murray: A bill for an act entitled: "An act to provide when interests must vest and to establish the American common law rule against perpetuities." Referred to Judiciary Committee.

House Bill No. 335, introduced by Murray: A bill for an act entitled: "An act to amend section 11-2707, Revised Codes of Montana, 1947, and section 11-2708, Revised Codes of Montana, 1947, providing for a term of two years for members of the board of adjustment, and providing that the county may institute actions and proceedings under this act." Referred to Judiciary Committee.

House Bill No. 336, introduced by Stimatz: A bill for an act entitled: "An act to amend section 40-4601 of the Revised Codes of Montana, 1947, as amended, relating to issuing of title insurance policies; providing that no title insurance policy will be issued by a licensed abstract company unless based upon a written attorney's opinion; providing that licensed and practicing attorneys may issue title insurance policies based upon a review of pertinent title records; providing what shall be deemed title insurance; and repealing of all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

House Bill No. 337, introduced by Beam, Anderson (Yellowstone), Haines: A bill for an act entitled: "An act to amend section 66-801, Revised Codes of Montana, 1947, as amended by section 1, chapter 20, Laws of 1955, and to amend sections 66-803 and 66-806, Revised Codes of Montana, 1947, relating to the practice of cosmetology, and requiring one (1) year of practice or teaching before obtaining a manager-operator license, and requiring a high school diploma or equivalent before obtaining an operator's license, and provide additional requirements relative to the establishing of minimum prices." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 338, introduced by Healy: A bill for an act entitled: "An act to amend section 16-1001, Revised Codes of Montana, 1947, relating to powers of supervision of boards of county commisisoners; providing that said boards shall have power to pay proper charges for indemnity insurance; repealing all acts and parts of acts in conflict herewith; providing effective on passage and approval." Referred to Judiciary Committee.

House Bill No. 339, introduced by Emmons, Haines, Mernin, Lombardi, Sullivan (Silver Bow): A bill for an act entitled: "An act to prohibit the employment by the State of Montana or any political subdivision thereof, or any county, city, town or school district, of persons receiving retirement payments; and providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 340, introduced by Lucas, Jensen (Lake), Abel, Bradford: A bill for an act entitled: "An act to amend sections 32-701, 32-702, 32-703, 32-704 and 32-711 of the Revised Codes of Montana, 1947, relating to public bridges; redefining the words public bridge to include all drainage structures within the corporate limits of any city or town of this state; that the proceeds of the special bridge tax levied and collected on taxable property situate within the corporate limits of any city or town shall be paid over to said city or town for its use in the construction, maintenance and repair of public bridges and streets within said city or town; providing that the city or town council, or other governing body, shall have the management and control of all bridges situate within the corporate limits of said city or town; repealing sections 32-705, 32-707 and 32-712 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 341, introduced by Hazelbaker, Haughey: A bill for an act entitled: "An act to amend section 75-3413, Revised Codes of Montana, 1947, relating to school transportation; providing for reimbursement to school districts and county high schools from the state public school equalization fund; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 342, introduced by Beam, Wayrynen, Hazelbaker, Em-

mons, Broeder: A bill for an act entitled: "An act to amend section 31-130, R. C. M. 1947, and 31-135, R. C. M. 1947, relating to application for drivers' licenses and issuing of licenses to provide that every application for licenses shall contain a photograph of the applicant in conformity with such rules and regulations as the Montana highway patrol board shall prescribe; to provide further that the licenses shall contain a photograph of the operator or chauffeur in accordance with such rules and regulations as the Montana highway patrol board shall prescribe; to provide for an increase in the license fee from three dollars (\$3.00) to three dollars and twenty-five cents (\$3.25)." Referred to Committee on Highways.

House Bill No. 343, introduced by Pierce, Lundgren: A bill for an act entitled: "An act to amend section 79-1202 of the Revised Codes of Montana, 1947, by providing therein that moneys of the public employees retirement fund and of funds subject to investment as designated by the teachers retirement board may be invested in land and real property purchase agreements with the state highway commission subject to the limitations of any statutes authorizing such agreements; repealing all acts or parts of acts in conflict herewith; and providing that this act shall be in full force and effect from the date of its passage and approval." Referred to Judiciary Committee.

House Bill No. 344, introduced by Pierce, Lundgren: A bill for an act entitled: "An act to authorize the state highway commission, the board of administration of the public employees retirement act and the retirement board of the teachers retirement system, subject to the approval of the state board of land commisisoners, to enter into agreements and arrangements for the purchase of lands or other real property by such boards for the future use of the state highway system; providing that not more than ten per cent (10%) of the funds of any such board may be used for such purposes at any one time; providing for the repurchase of such property by the highway commission from such retirement boards; authorizing negotiations for the payment of a negotiated annual percentage in addition to the original purchase price by the state highway commission to such boards; providing that the state highway commission shall have management and control of such property prior to payment to such board; authorizing the contracting for management of such properties prior to their use in highway construction; and repealing all acts or parts of acts in conflict herewith; and providing that this act shall be effective from the date of its passage and approval." Referred to Judiciary Committee.

House Bill No. 345, introduced by Broeder, Cerovski: A bill for an act entitled: "An act to amend section 53-615, replacement volume number three (3) of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 258 of the Laws of 1955 relating to a fee on motor trucks, truck tractors, trailers, semitrailers, house trailers and busses operating over and upon the highways of the State of Montana; providing for an adjustment of fees on motor trucks, truck tractors operated singly or in combination with trailers, semitrailers, and/or semitrailers and full trailers; providing three gross vehicle weight fee schedules to be designated as schedules 'A', 'B', and 'C'; providing for payment of gross vehicle weight fees on motor trucks, truck tractors operated singly or in combination with trailers, semitrailers, and/or semitrailers and full trailers, said fees to be based on total gross weight and not the number of units or combination of units; providing for an additional fee of \$50 for every 2,000 pounds or fraction thereof that any vehicle or combination unit weighs in excess of 76,800 pounds; providing for payment of a fee upon motor vehicles converted to living quarters; providing the gross weight fee for combinations of twenty-four thousand (24,000) pounds or less shall be paid when annual registration fees are paid; providing that the gross weight fee on combinations in excess of twenty-four thousand (24,000) pounds may be paid in quarterly installments only if such total fee exceeds one hundred dollars (\$100.00); providing for an increase

from one dollar (\$1.00) to two dollars (\$2.00) of the additional fee for quarterly payments; repealing section 1 of chapter 251 of the Laws of 1955, relating to the payment of gross vehicle weight taxes on power units of three unit combinations of vehicles; providing this act shall be effective from and after January 1, 1962, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 346, introduced by Kolar: A bill for an act entitled: "An act amending section 84-6008, R.C.M. 1947 relating to taxation of migratory personal property; to provide that merchandise assessment shall be governed by the merchants' and manufacturers' inventory act and to exempt motor vehicles of all nonresident migratory bona fide workers when used for transportation." Referred to Committee on Ways and Means.

House Bill No. 347, introduced by Kolar: A bill for an act entitled: "The merchants' and manufacturers' inventory act"; changing the procedure for assessing the inventory of merchants and manufacturers by requiring them to list the average value of their inventory in each month of the previous year as estimates of inventory for the current taxable year, and by requiring the assessor to base the assessment on the average value of the inventory." Referred to Committee on Ways and Means.

House Bill No. 348, introduced by Haughey, Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 84-1504, Revised Codes of Montana 1947 to provide a definition of gross income in the computation of corporation license tax." Referred to Committee on Ways and Means.

House Bill No. 349, introduced by Adams, Lundgren, Rosell, Lord: A bill for an act entitled: "An act to establish uniform procedures for changing school district boundaries; defining terms; defining powers of county superintendents to effect boundary changes; providing limitations on the formation of new districts; providing for petitions; providing for protests; providing for hearings; providing for elections; providing for appeals to county commissioners; providing for procedures in joint districts and proposed joint districts; providing for issuance of orders by county superintendents; providing for dissolution and annexation of districts; providing for transfer of territory between districts; providing for dates effecting transition periods and boundary changes; providing for conducting affairs of old districts; providing for interim trustees; providing for the election of new trustees; providing for transfer of records, funds and property to new trustees; requiring new district to operate school or become void; providing for apportionment of funds and indebtedness; providing for bonded indebtedness to remain with territory incurring same; providing for liability of old and new districts; providing for notice to state board of equalization; repealing sections 75-1805, 75-1806, 75-1807, 75-1808 75-1809, 75-1810, 75-1813, and 75-1814, Revised Codes of Montana, 1947, and all conflicting acts and parts of acts; and fixing an effective date." Referred to Committee on Education.

House Bill No. 350, introduced by Picard: A bill for an act entitled: "An act to amend section 4-101 of the Revised Codes of Montana of 1947, relating to the policy of liquor control of the state, by removing from the classification of 'liquor' beer and malt liquor containing more than four per centum (4%) of alcohol; section 4-301 of the Revised Codes of Montana of 1947, relating to the policy of the state regarding beer, by removing references to beer, porter, ale, stout and malt liquors containing more than four per centum (4%) of alcohol as 'liquors'; section 4-302 of the Revised Codes of Montana of 1947, relating to definitions in the beer act, by removing the limitation of alcoholic content in the definition of 'beer'; section 4-308 of the Revised Codes of Montana of 1947, relating to manufacture and sale of beer, by removing the exclusive privilege granted the Liquor Control Board to sell ale, porter, and stout containing more than four per centum (4%) of alcohol; section 4-341 of the Revised Codes of Montana of 1947,

relating to beer license fees, by providing an additional annual license fee to be paid by wholesalers selling beer, ale, porter, and stout containing more than four per centum (4%) of alcohol; section 4-358 of the Revised Codes of Montana of 1947, relating to limitations on advertising of beer, by removing the prohibition against advertising beer containing more than four per cent (4%) of alcohol; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 351, introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to municipal bonds and indebtedness; amending sections 11-2311 and 11-2312, R. C. M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers shall vote on a question of issuing a bond, instead of forty per cent (40%), and to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included in order to have a valid election on such question." Referred to Committee on Ways and Means.

House Bill No. 352, introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to county finance—bonds and warrants; amending sections 16-2027 and 16-2028, R. C. M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers shall vote on a question of issuing a bond, instead of forty per cent (40%), to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included in order to have a valid election on such question." Referred to Committee on Ways and Means.

House Bill No. 353, introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to qualifications and privileges of electors; creating a new section to be known as section 23-312, R. C. M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers shall vote on a question of issuing a state bond or debenture, increasing the rate of taxation or incurring state debts, and to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included, in order to have a valid election on such question." Referred to Committee on Ways and Means.

House Bill No. 354, introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to the conduct of elections concerning public bond issues, tax levies or indebtedness; creating a new section to be known as section 23-1229, R. C. M. 1947, to provide that "taxpayer" and "real estate taxpayers" ballots shall be used; to provide that certain voters shall receive such ballots according to the property upon which they pay taxes; to provide for descriptions to be placed on ballots, and to provide that "real estate taxpayer" ballots shall be counted separately." Referred to Committee on Ways and Means.

House Bill No. 355, introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to qualifications and privileges of electors; amending section 23-304, R. C. M. 1947, to provide that the county clerks, when preparing poll books, shall stamp the words 'real estate taxpayer' opposite the names of some electors, instead of the word 'taxpayer'." Referred to Committee on Ways and Means.

House Bill No. 356, introduced by Rygg, Lundgren, Picard: A bill for an act entitled: "An act relating to school district bonds; amending section 75-3914, R. C. M. 1947, to provide that at least fifty per cent (50%) of the qualified taxpayers must vote on a question of issuing a bond, instead of forty per cent (40%), and to provide that at least forty per cent (40%) of the qualified real estate taxpayers shall be included in order to have a valid election on such question." Referred to Committee on Ways and Means.

House Bill No. 357, introduced by Blewett, Murray, Stimatz: A bill for an act entitled: "An act granting the Supreme Court power to prescribe rules and regulations concerning the admission of attorneys at law to practice before the courts of the State of Montana; repealing section 93-2001,

section 93-2002, section 93-2003, section 93-2004, section 93-2005, section 93-2007, and section 93-2015 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act." Referred to Judiciary Committee.

House Bill No. 358, introduced by Aasheim, Cerovski, Kvaalen: A bill for an act entitled: "An act to amend sections 75-1728, 75-1815, 75-1816, 75-3618, 75-4533, 75-4534, 75-4535 and 75-4602, and to repeal section 75-4536, Revised Codes of Montana, 1947, relating to joint school districts; designating officials responsible for budget purposes; requiring reports to be made to officials in all counties concerned; providing procedures for budgeting; providing a method for determining the levies required; providing for distributing county funds to joint districts; providing a formula for county equalization; providing for fixing tax levies; providing for apportioning financing responsibility for a joint district high school in a high school district; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

House Bill No. 359, introduced by Hawks: A bill for an act entitled: "An act to amend section 80-201, Revised Codes of Montana, 1947, and section 80-210, Revised Codes of Montana, 1947; providing for the change in name of the Montana State Tuberculosis Sanitarium; and providing for the care and custody of geriatrics, seniles and old soldiers at the Montana State Tuberculosis Sanitarium." Referred to Committee on State Administration.

House Bill No. 360, introduced by Mernin, Schwinden: A bill for an act entitled: "An act providing for the establishment of the state public building insurance fund; providing for a supervisor thereof; that all public buildings and contents thereof with certain exceptions are deemed insured by said fund against loss by fire, etc.; providing for valuation of all property deemed insured, and the duties of the State Auditor in connection therewith, providing for reporting of losses, how determined and paid; providing it is unlawful to insure any of said buildings with any commercial or private insurer; providing for payment from said fund to fire department relief associations; providing an appropriation of two hundred and fifty thousand dollars (\$250,000) for said fund; providing for cancellation of policies and return of unearned premiums; providing penalties, a severability clause, a repealing clause, and an effective date." Referred to Committee on Appropriations.

House Bill No. 361, introduced by Daniels: A bill for an act entitled: "An act authorizing and empowering the State Board of Examiners of the State of Montana to sell and convey certain lands situate in Powell County, Montana, described as the "Valiton Ranch", said "Valiton Ranch" being more particularly described in instruments recorded in Book 22, Deed Records of Powell County, Montana, at Pages 42, 44, and 168; to the best interests of the State of Montana; providing for appraisal of said land; providing for notice of sale; providing costs of sale and expense incidental thereto to be paid out of the proceeds of the sale; and providing the net proceeds of the sale to go to the general fund; and providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 362, introduced by Pierce, Picard, Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 25-236 of the Revised Codes of Montana, 1947, relating to the fees of coroners and 16-3408 of the Revised Codes of Montana of 1947, relating to stenographers of coroners for counties having a population by the latest federal census enumeration of 45,000 or more, to provide that in counties having a population of 40,000 or more by federal census enumeration, the coroner shall receive a salary of not to exceed five thousand four hundred dollars (\$5,400.00) per annum together with mileage, in lieu of all fees, providing that in such counties the salaries of coroners and their stenographers shall be fixed by the county commissioners; repealing all acts and parts of acts in conflict therewith; and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 363, introduced by Picard, Laas, Jensen (Lake): A bill for an act entitled: "An act to create regulations for the awarding of contracts by the State of Montana, agencies thereof, political subdivisions thereof, school districts and other public corporations; providing for preference for Montana residents and for products manufactured and produced in this state; defining the word 'resident'; providing penalties and repealing all acts and parts of acts in conflict herewith; containing a severability clause and an effective date." Referred to Committee on State Administration.

House Bill No. 364, introduced by Reed, Anderson (Yellowstone), Johnson, Lucas, Rosell: A bill for an act entitled: "An act to amend section 66-802, Revised Codes of Montana, 1947, pertaining to the practice of cosmetology by exempting cosmetological artists who demonstrate for the benefit and instruction of cosmeticians." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 365, introduced by Bradford, Conklin, Keller: A bill for an act entitled: "An act to amend 94-2425, R. C. M. 1947, to provide that no single race track or racing facility shall be used for more than any period of time exceeding thirty (30) racing days in any one calendar year." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 366, introduced by Reed, Johnson, Lucas: A bill for an act entitled: "An act to amend section 66-803, Revised Codes of Montana, 1947, pertaining to licensing qualifications in cosmetology by requiring applicants to have a high school education and a diploma from a registered beauty school; providing that vocational trainees have eighteen months to complete the beauty course; eliminating apprentice licenses." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 367, introduced by Reed, Anderson (Yellowstone), Johnson, Lucas, Rosell: A bill for an act entitled: "An act to amend section 66-816, Revised Codes of Montana, 1947, pertaining to renewal of licenses and certificates by providing for a penalty for late renewal." Referred to Committee on State Administration.

House Bill No. 368, introduced by Johnson, Keller, Rosell, Reed, Kolar: A bill for an act entitled: "An act to amend section 14-529 Revised Codes of Montana 1947, to provide that rural electric cooperatives and rural telephone cooperatives must file their rates and rate schedules with the Public Service Commission and may not charge rates which have not been filed with the Public Service Commission; to provide that such rates filed with the Public Service Commission shall be matters of public record and shall be posted in public places; to provide that rates charged by rural electric and rural telephone cooperatives in effect on the effective date of this act shall remain in effect until changed by such rural electric and rural telephone cooperatives; to provide that rural electric and rural telephone cooperatives may change rates in effect on the effective date of this act and may fix new rates after the effective date of this act by filing such rates with the Public Service Commission ten days prior to their effective date; providing for an effective date of this act; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Business and Industry.

House Bill No. 369, introduced by Johnson, Reed, Rosell: A bill for an act entitled: "An act to amend section 66-806, Revised Codes of Montana, 1947, pertaining to the power of the State Board of Beauty Culturists to approve price agreements by allowing the board to initiate new or changed agreements and providing for hearings and notice." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 370, introduced by Rosell, Lucas, Reed, Johnson, Keller: A bill for an act entitled: "An act to amend section 66-804, Revised Codes of Montana, 1947, pertaining to the organization of the State Examining Board of Beauty Culturists by changing the name of the board and the

qualifications of the board members." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 371, introduced by Blewett: A bill for an act entitled: "An act to appropriate money for payment of the share of this state of the expenses of the national conference of commissioners on uniform state laws, and for travel expenses of the commissioners on uniform state laws, for the period beginning July 1, 1961, and ending June 30, 1963." Referred to Committee on Appropriations.

House Bill No. 372, introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend section 75-3612, Revised Codes of Montana, 1947, relating to the foundation program for elementary and secondary schools; providing schedules for determining the foundation program amounts for all schools; defining terms; establishing conditions for application of schedules; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 373, introduced by Reed, Kvaalen: A bill for an act entitled: "An act to appropriate money to provide additional funds for the operation of the public schools of the State of Montana for the period beginning July 1, 1961, and ending June 30, 1963; providing for the distribution of said funds for the credit of the various school districts of the state on the basis of average number belonging, and the manner of such distribution; providing that none of said funds shall be distributed in excess of the foundation program needs of any school district; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act." Referred to Committee on Education.

House Bill No. 374, introduced by Reed, Kvaalen: A bill for an act entitled: "An act to appropriate money for the state public school equalization fund and providing for the manner of distribution thereof for the period beginning July 1, 1961, and ending June 30, 1963; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act." Referred to Committee on Education.

House Bill No. 375, introduced by Kvaalen, Bardanouve: A bill for an act entitled: "An act providing that the per diem allowance and mileage of members of the Legislative Assembly, President of the Senate and Speaker of the House shall be considered as reimbursement for expenses incurred and shall not be taxable as salary or wages and shall not be subject to employee contributions; amending section 43-310, R.C.M. 1947, as amended by chapter 23, Laws of 1955, and section 43-311, R.C.M. 1947, as amended by chapter 23, Laws of 1955." Referred to Committee on State Administration.

House Bill No. 376, introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to amend sections 89-1803 and 89-1804 of the Revised Codes of Montana, 1947, relating to the rate of charge and apportionment of annual tax levy against lands in irrigation districts and providing for a minimum charge of five dollars (\$5.00) against any separately owned tract of land within an irrigation district regardless of the size of said tract." Referred to Committee on Agriculture and Irrigation.

House Bill No. 377, introduced by Stimatz: A bill for an act entitled: "An act authorizing the remission of penalties and interest upon the redemption of real property where all taxes, penalty and interest have been paid for ten (10) years immediately before the effective date of the passage and approval of this act, but upon which delinquent taxes prior to the years 1951 remain unpaid upon any real property. Redemption may be made by paying the original tax without the payment of penalty and interest on such delinquent taxes, if such redemption is made on or before May 31, 1962." Referred to Judiciary Committee.

House Bill No. 378, introduced by Mernin, Harper, Stimatz, Shelden: A bill for an act entitled: "An act to amend 94-35-256 Revised Codes of

Montana, 1947, prohibiting false representation to procure workmen; prohibiting the employment of professional strikebreakers in place of employees involved in a labor dispute by a person or agency not directly involved in the labor dispute, and prohibiting the employment of persons so recruited or furnished; prohibiting the recruitment of or advertising for employees to take the place of employees engaged in a labor dispute without stating that the employment offered is in place of employees involved in a labor dispute; repealing conflicting act; providing for an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 379, introduced by Stimatz: A bill for, "An act to amend section 11-3830, Revised Codes of Montana, 1947, as amended, so as to require a public hearing before any revision is made in any master plan once adopted by a city-county planning board and board of county commissioners." Referred to Committee on Townships and Counties.

House Bill No. 380, introduced by Pierce (by request), Picard, Swanz, Wayrynen, Spilde: A bill for an act entitled: "An act to amend section 4-117 of the Revised Codes of Montana, 1947, by providing for a discount in the amount of five per cent (5%) to be allowed upon purchases made by retail liquor licensees from Montana state liquor stores, providing for an effective date of this act, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 381, introduced by Sullivan (Silver Bow), Stimatz, Harper, Emmons: A bill for an act entitled: "An act to make it unlawful for any person, partnership or firm or corporation to add any fictitious or phantom charges to any of the natural resources or products of the State of Montana that is processed, refined or manufactured in the State of Montana and sold in Montana; to prescribe penalties for noncompliance to make noncompliance punishable by a fine of not less than \$1000.00 or one year imprisonment or both and on second offense shall be fined or jailed, or both and suspended from doing any further business in Montana." Referred to Judiciary Committee.

House Bill No. 382, introduced by Stimatz, Eskildsen: A bill for an act entitled: "An act to amend section 56-104, Revised Codes of Montana, 1947, relating to the duties of a notary public, by adding thereto the duty of keeping a record of instruments acknowledged or proved; prescribing a fee for certified copies of such records: containing a repealing clause." Referred to Judiciary Committee.

House Bill No. 383, introduced by Stimatz: A bill for an act entitled: "An act to change the time for contesting a will after the probate thereof from one year to six months." Referred to Judiciary Committee.

House Bill No. 384, introduced by Stimatz, Lucas: A bill for an act entitled: "An act to amend section 25, chapter 246, laws of 1957, (11-3825 Revised Codes of Montana 1947) relating to tax levy on planning districts by including zoning districts created after public hearing." Referred to Committee on Affairs of Cities.

House Bill No. 385, introduced by Stimatz, Lucas: A bill for an act entitled: "An act to amend section 11-3905, Revised Codes of Montana, 1947, enacted as section 5, chapter 195, Laws of 1959, relating to exercise of powers by municipalities in urban renewal projects by deleting the requirement of taxpayer approval at an election before preliminary planning for a project may be undertaken." Referred to Committee on Affairs of Cities.

House Bill No. 386, introduced by Stimatz, Lucas: A bill for an act entitled: "An act to amend section 10, of chapter 246, Laws of 1957, (section 11-3810, Revised Codes of Montana, 1947), relating to terms of citizen members of city county planning boards by changing the terms from four (4) years to two (2) years, and repealing section B of chapter 246, Laws of 1957, (section 11-3813, Revised Codes of Montana, 1947)." Referred to Committee on Affairs of Cities.

House Bill No. 387, introduced by Cerovski, Schwinden: A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries; when salary paid from several funds; repealing sections 25-501, 25-502, 25-503, and 25-505 of the Revised Codes of Montana, 1947; and containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 388, introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to revise the requirements, procedures and methods of filing and adopting rates, charges, fares, classifications, and rules of service for motor carriers; repealing section 8-104, Revised Codes of Montana, 1947, as amended by chapter 262, Laws of Montana, 1955; repealing section 8-106, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; providing for an effective date." Referred to Judiciary Committee.

Motion was made by Anderson (Yellowstone) that the House recess until 8:00 p. m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 389, introduced by Kolar (by request): A bill for an act entitled: "The Montana Trading Stamp Control Act; placing the sale and distribution of trading stamps in Montana entirely under the control and regulation of the State of Montana." Referred to Committee on Business and Industry.

House Bill No. 390, introduced by Hazelbaker, Nichols: A bill for an act entitled: "An act to amend sections 78-102, 78-104 and 25-504, Revised Codes of Montana, 1947, to provide that the custodian of the State Capitol Building shall work under the direction of the State Controller; to provide that the custodian of the State Capitol Building shall recommend to the State Controller necessary replacements and repairs; to provide that requisitions for repairs and maintenance of the Capitol Building be issued by the State Controller; to provide that the salaries of janitors, watchmen, utility men, engineers and the carpenter at the State Capitol Building be fixed by the State Controller, repealing all acts and parts of acts in conflict herewith; and providing an effective date of this act." Referred to Committee on State Administration.

House Bill No. 391, introduced by Anderson (Yellowstone), Nichols: A bill for an act entitled: "An act to provide that the term of office of the State Examiner, the State Controller, the chairman of the Industrial Accident Board, the Commissioner of State Lands and Investments, the State Forester, the Superintendent of the State Hospital, the Assistant Superintendent of the State Hospital, the President of the Montana State Tuberculosis Sanitarium, the custodian of the State Capitol Building, the Co-ordinator of Indian Affairs, the members of the Unemployment Compensation Commission, the State Board of Public Welfare, the State Board of Health, the Montana Liquor Control Board, the State Board of Pardons, the State Highway Commission, the Board of Administration of the Public Employees Retirement Act, the Montana Livestock Commission, the State Fish and Game Commission, the Oil and Gas Conservation Commission, the Montana Grass Conservation Commission, the State Board of Dental Examiners, the Montana State Examining Board of Beauty Culturists, the State Board of

Veterinary Medical Examiners, the Montana State Board of Nursing, the State Board of Chiropractic Examiners, the State Board of Osteopathic Examiners, the State Board of Registration for Professional Engineers and Land Surveyors, the Board of Embalmers and Funeral Directors, the Abstractors Board of Examiners, the Board of Architectural Examiners, the Board of Barber Examiners, the Board of Medical Examiners, the Montana State Board of Examiners in Optometry, the Executive Board of the Montana State Industrial School, the Local Executive Board of Montana State University, the Local Executive Board of Montana State College, the Local Executive Board of the Montana School of Mines, the Local Executive Board of Western Montana College of Education, the Local Executive Board of Eastern Montana College of Education, the Local Executive Board of Northern Montana College, the Local Executive Board of the State Vocational School for Girls, the Local Executive Board of the Montana Children's Center, the Local Executive Board of the Montana State Training School, the Local Executive Board of the Montana School for the Deaf and Blind, the Veterans' Memorial Fund Commission, the Commission on Uniform State Laws, the State Athletic Commission, the State Board of Arbitration and Conciliation, the Milk Control Board, the State Aeronautics Commission, the State Board of Food Distributors, the Veterans' Welfare Commission, the Personnel Commission of the State of Montana, and the members of the State Board of Hail Insurance, the Advisory Committee for the Wool Laboratory, the Montana Poultry Improvement Board, the State Water Conservation Board, the Montana State Board of Forestry, the State Soil Conservation Committee, the State Board of Plumbing Examiners, the State Board of Chiropody Medical Examiners, the Montana State Board of Pharmacy, the Hospital Advisory Council, the State Board of Education, the Soldiers' Home Board of Managers, the State Library Extension Commission, the Retirement Board of the Teachers Retirement System of the State of Montana, the State Water Pollution Council, the Montana Fine Arts' Commission, and the State Apprenticeship Council appointed by the Governor shall be at the pleasure of the Governor; providing that said officers and said members of said boards, commissions, councils and agencies may be removed from office by the Governor at any time with or without cause and without hearing; providing that the requirement of the consent of the Senate to appointments by the Governor shall not be eliminated or abolished; repealing so much of sections 82-1001, 82-106, 82-107, 92-104, 81-201, 81-1403, 38-104, 80-206, 78-105, 82-2702, 87-117, 71-202, 69-102, 4-104, 94-9822, 32-1601, 68-501, 46-101, 26-102, 60-125, 46-2303, 66-901, 66-804, 66-2201, 66-1225, 66-502, 66-1401, 66-2327, 66-2330, 82-701, 66-2102, 66-101, 66-406, 66-1001, 66-1303, 80-805.1, 75-304, 78-301, 12-401, 82-301, 41-901, 27-404, 1-201, 27-303, 77-1001, 59-1205, 82-1501, 75-717, 3-2201, 89-103, 28-101, 76-104, 66-2403, 66-603, 66-1503, 69-2910, 75-102, 80-304, 44-127, 75-2703, 69-1329, 19-120 and 41-1201, Revised Codes of Montana, 1947, as is in conflict with this act and repealing all other acts and parts of acts in conflict herewith, and providing an effective date for this act." Referred to Committee on State Administration.

House Bill No. 392, introduced by Hawks, Haines, Anderson (Yellowstone), Nichols: A bill for an act entitled: "An act to provide that executive state officers, boards, commissions, bureaus, departments and agencies appointed by the Governor shall have the authority to discharge any assistant, deputy, agent, attorney, administrator, engineer, expert, clerk, accountant, stenographer, or executive attache when in the discretion of such officers, boards, commissions, bureaus, departments and agencies the efficient and economic operations of such offices, boards, commissions and agencies so requires; providing that no hearing shall be required; exempting assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches whose term of office and compensation is fixed by law from the provisions of this act; providing that such state executive offices, boards, commissions, bureaus, departments and agencies shall furnish the Governor a list of such employees and their duties; repealing all acts and parts of acts in conflict herewith; and providing an effective date for this act." Referred to Judiciary Committee.

House Bill No. 393, introduced by Hazelbaker, Asbjornson: A bill for an act entitled: "An act to amend section 25-102, R. C. M. 1947, relating to fees to be paid to the Secretary of State; to provide for an increase, in certain cases, of fees to be paid to the Secretary of State for issuing certificates, filing documents, recording documents, affixing certificates and seals and performing other services." Referred to Committee on State Administration.

House Bill No. 394, introduced by Hazelbaker, Asbjornson: A bill for an act entitled: "An act to amend section 14-127, R. C. M. 1947, to increase the fees paid to the Secretary of State by credit unions from five dollars (\$5.00) to forty dollars (\$40.00); to amend section 14-201, R. C. M. 1947, to increase the fees paid to the Secretary of State for issuing a license to commissioners to open books for subscription of a cooperative association from five dollars (\$5.00) to twenty dollars (\$20.00); to amend section 14-204, R. C. M. 1947, to increase the fees paid to the Secretary of State for issuing a certificate of complete organization of a cooperative association from five dollars (\$5.00) to twenty dollars (\$20.00) and to increase the fees paid to the Secretary of State for filing an amendment and issuing a certificate of amendment to articles of incorporation of a cooperative association from five dollars (\$5.00) to ten (\$10.00); to amend section 14-422, R. C. M. 1947, to increase fees paid to the Secretary of State for filing articles of incorporation of a cooperative marketing association from five dollars (\$5.00) to forty dollars (\$40.00) and for filing an amendment to the articles from two and 50/100 dollars (\$2.50) to ten dollars (\$10.00); to amend section 14-527, R. C. M. 1947, to increase the fees paid to the Secretary of State by rural electric and telephone cooperatives for filing articles of incorporation from five dollars (\$5.00) to forty dollars (\$40.00) and for all other filings, from five dollars (\$5.00) to ten dollars (\$10.00); to amend section 15-1801, R. C. M. 1947, to increase the fees paid to the Secretary of State for filing certificates of consolidation or merger from five dollars (\$5.00) to fifteen dollars (\$15.00); to amend section 15-1901, R. C. M. 1947, to increase the fees paid to the Secretary of State for filing certificates of consolidation or merger from five dollars (\$5.00) to fifteen dollars (\$15.00); to amend section 16-1303, R. C. M. 1947, to provide that county farm bureaus organized as corporations shall pay corporate filing and recording fees to the Secretary of State; to amend section 25-110 R. C. M. 1947, to increase the fees paid to the Secretary of State by certain water users' associations from ten dollars (\$10.00) to forty dollars (\$40.00); to amend section 53-204, R. C. M. 1947, to increase the fees paid to the Secretary of State for service of summons or process from two dollars (\$2.00) to five dollars (\$5.00); to amend section 53-205, R. C. M. 1947, by increasing the fee to be taxed as costs from two dollars (\$2.00) to five dollars (\$5.00); to amend section 56-113, R. C. M. 1947, to increase the fees paid to the Secretary of State for certificates of official character of notaries public from one dollar (\$1.00) to two dollars (\$2.00); to amend section 65-213, R. C. M. 1947, to increase the fees paid to the Secretary of State for statements of trust receipt financing from one dollar (\$1.00) to three dollars (\$3.00); to amend section 72-306, R. C. M. 1947, to increase the fees paid to the Secretary of State for noting declarations relative to certain contracts in the margin of the record from one dollar (\$1.00) to two dollars (\$2.00); to amend section 84-1515, R. C. M. 1947, to establish a fee for filing applications for revival and for issuing a certificate of revival by the Secretary of State; to amend section 85-103 R. C. M. 1947, by providing that the fee for filing and recording a trade mark or name shall be as provided in section 25-102, R. C. M. 1947; to amend section 93-3009, R. C. M. 1947, to increase the fee paid to the Secretary of State for service of process; repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 395, introduced by Hazelbaker, Loman: A bill for an act entitled: "An act providing that property used or to be used in the generation, transmission or distribution of electrical power to the public shall not be transferred or transferrable directly or indirectly to governmental or municipal or quasi-governmental or quasi-municipal corporations or associations organized under the laws of another state or to any corpora-

tion not a public utility subject to the jurisdiction of this state; providing that such property transferred in violation of this act shall escheat, to the state, authorizing the attorney general to institute proceedings to escheat such property, directing that such property transferred in violation of this act, be sold and the proceeds credited to the public school equalization fund; providing that transfers of such property in violation of this act are void and that transfers of such property under certain circumstances raises a conclusive presumption that such transfers were made to evade or avoid this act; providing for a criminal penalty for violation of this act; and repealing all acts and parts of acts in conflict therewith." Referred to Judiciary Committee.

House Bill No. 396, introduced by McOmber (by request): A bill for an act entitled: "An act to provide for a landlords' lien on personal property left on leased premises by tenant; to provide for the enforcement of said landlords' lien and for the sale of said property, after notice, by public auction." Referred to Judiciary Committee.

House Bill No. 397, introduced by Hazelbaker, Anderson (Yellowstone), Emmons, Stranahan: A bill for an act entitled: "An act to amend section 16-1031, Revised Codes of Montana, 1947, as last amended by chapter 108, Laws of Montana, 1947, to authorize boards of county commissioners to establish monthly service charges for garbage and ash collection purposes in lieu of taxation of property within garbage districts; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 398, introduced by Schye, Swanz: A bill for an act entitled: "An act to amend section 32-2001 of the Revised Codes of Montana, 1947, by extending the policy of the state to include controlling of access to throughways and intersections with throughways; amending section 32-2002 of the Revised Codes of Montana by providing definitions for the terms 'arterial highway', 'throughway', and 'throughway intersection area' and by including in the term 'controlled access highway', 'portions of throughways and roads, streets and highways within a throughway intersection area', amending section 32-2003 of the Revised Codes of Montana, 1947 by providing for control of access to throughways or roads, streets or highways within a throughway intersection area and by providing that no portion of a throughway or road, street or highway within a throughway intersection area shall be designated as a controlled access highway except upon petition of the governing body of cities, towns or counties and providing the petition to be irrevocable except upon concurrence of the State Highway Commission; amending section 32-2006 of the Revised Codes of Montana, 1947 by providing for the acquisition of property for controlled access highways or facilities; amending section 32-2007 of the Revised Codes of Montana, 1947, by providing for elimination of crossings with controlled access highways or facilities; amending section 32-2008 of the Revised Codes of Montana, 1947, relating to service roads by relating to controlled access highways as well as 'facilities'; amending section 32-2009 of the Revised Codes of Montana, 1947 relating to marking with signs by relating the same to controlled access highways as well as 'facilities'; amending section 32-2010 of the Revised Codes of Montana, 1947, relating to violations by prohibiting connections with a controlled access highway or facility except by permission of the State Highway Commission and the local governing body having jurisdiction over the highway or facility; repealing all acts or parts of acts in conflict herewith; providing that this act shall be in full force and effect from the date of its passage and approval." Referred to Committee on Highways.

House Bill No. 399, introduced by Cerovski (by request): A bill for an act entitled: "An act to amend section 4-329 of the Revised Codes of Montana of 1947, relating to the right of licensed retailers to sell or furnish beer to the public for consumption off the premises of such retailer, by removing the limitation on quantity of any such sale, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 400, introduced by Anderson (Yellowstone), Hawks, Leuthold: A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating a state building commission to approve the design and supervise the construction and major repair of all state buildings and to otherwise administer the state building program; providing that the commission shall submit a long range building plan to the Legislative Assembly; providing that the construction and major repair of state buildings shall be authorized by the Legislative Assembly; amending sections 77-417 and 77-419, R. C. M. 1947, relating to the construction of National Guard armories; amending section 26-103, R. C. M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R. C. M. 1947, relating to the erection of buildings at the State Soldiers' Home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205, and 75-206, R. C. M. 1947, relating to the erection of facilities at units of the University of Montana." Referred to Committee on State Administration.

House Bill No. 401, introduced by Broeder, Murray, Lundgren, Jensen (Lake), Loman: A bill for an act entitled: "An act to amend section 32-1123, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, as amended by section 1, chapter 250 of the Laws of 1955, as amended by section 1, chapter 221 of the Laws of 1959, relating to size and weight of motor vehicles operating over and upon the highways of the State of Montana, by providing that no single truck shall have an over-all length in excess of forty (40) feet; providing that no tractor, semitrailer, full trailer or combination of vehicles shall have an over-all length in excess of seventy (70) feet; amending section 32-1124, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, by adding the words and numbers section numbers 32-1122 and 32-1123; amending section 32-1125, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947; by changing the manner of penalizing violators of section 32-1123, and acts amendatory thereto; amending section 32-1126, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, by requiring employees of the State Highway Commission engaged in the enforcement of this act to wear identification badges; by giving the State Highway Commission discretion to authorize uniform dress for these employees; by requiring the unloading of vehicles and the care of unloaded material to be at the risk of the owner; amending section 32-1127, Replacement Volume Number Three (3) of the Revised Codes of Montana, 1947, as amended by section 1, chapter 254, Laws of 1955, relating to the permits for excess size and weight of motor vehicles by authorizing the State Highway Commission the discretion to grant special permits for excess size and weight in the public interest, and containing a repealing clause." Referred to Committee on Highways.

House Bill No. 402, introduced by Kvaalen, Reed: A bill for an act entitled: "An act defining a degree granting institution and prohibiting the granting of degrees by such an institution until it offers proof of accreditation to the regents of the University of Montana or until the regents approve a written notice filed in lieu of such proof." Referred to Committee on Education.

House Bill No. 403, introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend section 75-1632, Revised Codes of Montana, 1947, as finally amended in chapter 228 of the Session Laws of 1955, of the State of Montana, sub-section 11 thereof, by deleting from said sub-section 11 the authority and duty of the trustees to provide clothing and medical aid for indigent children when it shall be made to appear that such aid is needed; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 404, introduced by Kvaalen, Reed: A bill for an act entitled: "An act to amend section 75-2906, revised Codes of Montana, 1947, relating to pauper children, by deleting therefrom the requirements that school trustees furnish clothing and medical aid to indigent children; re-

pealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 405, introduced by Aasheim, Stranahan, McOmber: A bill for an act entitled: "An act setting the date of the pre-session legislative caucuses on the Saturday immediately preceding the first Monday of each odd numbered year and providing that the Secretary of State shall make the necessary arrangements and notify each legislator-elect and hold-over senator; amending section 23-1808, R. C. M. 1947 to require clerks of boards of county commissioners to transmit lists of legislators-elect to the Secretary of State; and amending section 43-310, R.C.M. 1947, to provide for the payment of per diem to legislators attending the caucuses." Referred to Committee on Legislative Administration.

House Bill No. 406, introduced by Schye, Kolar, Rosell: A bill for an act entitled: "An act to restrict and regulate the colonization of agricultural lands by persons having no individual or personal ownerships or rights of ownership in such lands, but constituting a society in which each member shares in the distribution of profits or benefits of the colony according to his needs, or in equal measure with his fellow members, or otherwise, in accordance with some concept of communal property; to provide for dividing the state into zones, classified as to the suitability of soil, climate and natural resources, for agricultural uses; to limit the size within each zone of the agricultural areas which may be used for the creation or maintenance of communal colonies; to regulate the spacing of colonies in relation to each other and in relation to urban and industrial communities; to create an administrative authority to be known as the 'communal property control board' to administer this act; to prescribe procedures by which applications for leave to establish colonial societies may be made, and by which such applications may be heard and passed upon by the communal property control board; to provide for hearings to be had upon all such applications and for right of appeal from determinations of the board by persons aggrieved thereby; to authorize the board to compel attendance of witnesses at hearings, and production of books and papers; to provide for enforcement of this act by punishment of violation of the provisions thereof or disobedience to the lawful orders of the board; to provide for compensation to be paid to the members of the board and its employees, and for payment of expenses incurred by members of the board and its employees in the performance of their duties hereunder." Referred to Judiciary Committee.

House Bill No. 407, introduced by Lucas, Bush, Reed, Haines, Page: A bill for an act entitled: "An act to amend sections 43-103 and 43-104, R. C. M. 1947, to provide for the reapportionment of the House of Representatives in accordance with the 1960 Census and a new formula." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 408, introduced by Blewett, Lewis: A bill for an act entitled: "An act to amend section 32-1616 of the Revised Codes of Montana, 1947, by adding a provision granting authority to the State Highway Commission to lease or rent excess real or personal property and providing that the landowner from which such property was acquired shall have first right and option to rent or lease such property; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 409, introduced by Barnard, Bardanouve: A bill for an act entitled: "An act relating to relocation of facilities of utilities in connection with highway work; amending section 1, chapter 254, Laws of 1957, compiled as section 32-1625, R. C. M. 1947, to require a utility to own in fee the right of way or other property upon which its facilities are located before the state may pay for any costs of relocation of such facilities." Referred to Committee on Business and Industry.

House Bill No. 410, introduced by Keller, Loman, Judge: A bill for an act entitled: "An act to amend section 10-507, R. C. M. 1947, relating to the amount of county's and parent's contribution for orphans in state orphans' home; to provide for an increase in the amounts to be paid by counties and

parents for orphans in the state orphans' home from ten dollars (\$10.00) per month to twenty-five dollars (\$25.00) per month." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 411, introduced by Sullivan (Deer Lodge), Cerovski, Emmons: A bill for an act entitled: "An act relating to income tax; permitting benefits received under the federal employees retirement act to be exempt from gross income for purposes of computing state income tax, by amending section 84-4905, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 412, introduced by Pierce, Keller: A bill for an act entitled: "An act amending section 19-107, R. C. M. 1947, to eliminate Lincoln's Birthday, Washington's Birthday, Columbus' Day, Veterans' Day and the day on which a general election is held from the list of legal holidays in Montana." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 413, introduced by Anderson (Yellowstone): A bill for an act entitled: "An act to amend section 11-616, R. C. M. 1947, relating to vacation of recorded plats to provide that any plat prepared and recorded as provided by section 11-2801, R.C.M. 1947, may be vacated, either in whole or in part, and upon such vacation the title to the streets and alleys of such vacated portions, to the center thereof, shall revert to the owners of the property adjacent to such vacated portions." Referred to Judiciary Committee.

House Bill No. 414, introduced by Loman, Cerovski, Reed, Rosell, Higham, Hawks, Hibbard: A bill for an act entitled: "An act to amend section 10-602, R. C. M. 1947, relating to the definition of the words 'delinquent child'; to provide that district courts will have the discretion, after full investigation and hearing to retain jurisdiction over all felony cases involving children, sixteen (16) years of age, or older." Referred to Judiciary Committee.

House Bill No. 415, introduced by Loman, Cerovski, Rosell, Reed, Higham, Hawks, Hibbard: A bill for an act entitled: "An act to repeal section 10-633, R. C. M. 1947, relating to forbidding publicity in juvenile court proceedings involving delinquent children: to provide that certain records shall be withheld from public inspection but open to inspection by the parties and their attorneys and certain child custody institutions or agencies; to provide that persons having a legitimate interest, can with court consent inspect certain records; to provide for inspection of records by governmental and private agencies and institutions conducting pertinent research studies; to provide that names and pictures of children shall not be made public by any medium of public information, except as authorized by court order." Referred to Judiciary Committee.

House Bill No. 416, introduced by Loman, Cerovski, Reed, Rosell, Higham, Hawks, Hibbard: A bill for an act entitled: "An act to amend section 10-611, R. C. M. 1947, relating to conduct of hearings of juvenile cases to provide that the general public shall be excluded from the hearings; to provide for appointment of counsel for children and parents or guardians of children, in certain cases; and to allow courts to establish appropriate procedures for hearings in cases of violation of traffic laws or ordinances." Referred to Judiciary Committee.

House Bill No. 417, introduced by Schwinden: A bill for an act entitled: "An act to amend section 84-406, Revised Codes of Montana, 1947, relating to assessment and the time of assessment of property and motor vehicles by the assessor, except property assessed by the State Board of Equalization; providing that motor vehicles for sale by dealers shall be assessed as merchandise, and requiring dealers to file a description of each motor vehicle with the assessor; exempting motor vehicles from tax where there is conclusive evidence that the motor vehicle tax had been paid in another state of the United States by the owner or owners of the motor vehicle for the

current year; providing that the provisions of this act shall not relieve an applicant for registration or re-registration from payment of the tax on a motor vehicle where the same has not been paid by a prior applicant or owner; providing for an effective date of this act; and containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 418, introduced by Stearns, Higham (by request): A bill for an act entitled: "An act to amend section 75-2501, Revised Codes of Montana 1947, relating to health certificates for teachers in the public schools of Montana and providing for such certificates to be furnished annually, or at any other time upon request from a superintendent of schools, county superintendent of schools, or the State Superintendent of Public Instruction, or the State Board of Education." Referred to Committee on Education.

House Bill No. 419, introduced by Stearns, Higham (by request): A bill for an act entitled: "An act amending section 75-2401, Revised Codes of Montana, 1947, as amended to change the date for automatic re-election of teachers, to change the number of years after which re-election is deemed automatic, to remove tenure for principals, to change time allowances for certain acts, and providing an effective date for the act." Referred to Committee on Education.

House Bill No. 420, introduced by Loman (by request), Schwinden (by request): A bill for an act entitled: "An act to amend section 53-122, Revised Codes of Montana, 1947, as amended by chapter 221, Laws of 1951, chapter 215, Laws of 1953 and chapter 41, Laws of 1955 by providing a registration or license fee of ten dollars (\$10.00) for motor vehicles; providing that \$1.25 of the fee be paid into the motor vehicle recording fund to pay the cost of making and delivering license plates and identification tags; containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 421, introduced by Loman (by request), Schwinden (by request): A bill for an act entitled: "An act to amend section 94-35-152.13, as enacted by chapter 162, Laws of 1953, by authorizing the Board of State Prison Commissioners to determine the use of funds in the industrial revolving fund for the construction, erection, equipping, enlarging or improving penal or reformatory buildings; amending section 94-35-152.15, as enacted by chapter 162, Laws of 1953, by requiring the Registrar of Motor Vehicles to pay \$1.00 for license plates and identification tags; providing for the depositing of fees in the industrial revolving fund; containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 422, introduced by Loman (by request), Schwinden (by request): A bill for an act entitled: "An act authorizing the Board of State Prison Commissioners to acquire, erect, equip, enlarge and improve buildings, industrial equipment and other facilities at the state prison and reformatory; providing for the use of funds from the prison industrial revolving fund to finance said buildings, industrial equipment and other facilities; providing methods of financing, containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 423, introduced by Blewett: A bill for an act entitled: "An act to amend section 92-834, R. C. M. 1947, relating to workmen's compensation cases with reference to appeals, notice, records and trials to provide that application to be made to the court to present additional evidence must be made before the date set for hearing; and to require that it be shown to the satisfaction of the district court that additional evidence is material and that there were good reasons for failing to present it in the proceeding before the board." Referred to Judiciary Committee.

House Bill No. 424, introduced by Bashor: A bill for an act entitled: "An act to amend section 75-2901 of the Revised Codes of Montana, of 1947, as amended by section 1 of chapter 39, Session Laws of Montana, of 1959, relating to compulsory school attendance; requiring parents, guardians or

other person having charge of a child seven (7) years of age prior to fall school term and not over eighteen (18) years of age to attend school, either public, private or parochial, accredited by the State Board of Education of the State of Montana; excepting children over eighteen (18) years of age completing the twelfth grade where his wages are necessary for the support of the family; excusing children from school attendance under certain conditions; providing for procedure on appeal where county or city officials refuse to excuse a child from school attendance; and making it a misdemeanor for failure to comply with the provisions of this act; and to amend section 75-2902 of the Revised Codes of Montana, of 1947, prohibiting the employment of children under eighteen (18) years of age, or a child not completing the twelfth grade, during the school term; permitting children over eighteen (18) years of age to be employed when necessary for the support of his family or their family; requiring age and schooling certificate of children over eighteen (18) years of age not completing twelfth grade before employment; providing penalties for violation of this act; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 425, introduced by Emmons: A bill for an act entitled: "An act to amend section 40-3918, Revised Codes of Montana, 1947, as enacted by section 345, chapter 286, Laws of Montana of 1959, relating to the conversion on termination of eligibility of group life insurance policies by providing that an employee's insurance shall not cease nor shall premiums be increased because of his retirement; repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 426, introduced by Bardanouve, Schwinden: A bill for an act entitled: "An act amending section 92-1105, R. C. M. 1947, relating to the industrial insurance fund to provide that if in any year the premiums in any class exceed disbursements, the industrial accident board shall reduce employers' premiums proportionately." Referred to Committee on Business and Industry.

House Bill No. 427, introduced by Bardanouve, Schwinden: A bill for an act entitled: "An act to except unemployment compensation contributions by employers from the wages of minors, in their employ, by amending section 87-109, R. C. M. 1947, as amended by section 3, chapter 171, Session Laws of 1957." Referred to Committee on Business and Industry.

House Bill No. 428, introduced by Bashor: A bill for an act entitled: "An act to require all persons, firms and corporations drilling water wells to properly plug and abandon such wells when use thereof has ceased; declaring violation to be a public nuisance; and authorizing the county attorney to investigate and abate." Referred to Committee on Business and Industry.

House Bill No. 429, introduced by Abel, Eskildsen: A bill for an act entitled: "An act relating to fishing and hunting licenses; creating a section to be known as section 26-202.2, R. C. M. 1947, to permit patients of Fort Sheridan Veterans Administration Hospital in Wyoming to fish and hunt game birds without a class A or B or B-1 license." Referred to Committee on Fish and Game.

House Bill No. 430, introduced by Bentz, Johnson, Schye, Stearns, Spilde: A bill for an act entitled: "An act to amend sections 41-901, 41-903, 41-904, R. C. M. 1947, relating to the State Board of Arbitration and Conciliation, to provide for a change in name and term of office of such board, to increase the compensation and provide qualifications and additional duties for the clerk of said board, to provide additional authority and duties and responsibilities for mediation of labor disputes, to establish procedures and facilities for elections by secret ballot, providing for certification and decertification of bargaining units, providing penalties for violations, authorizing injunctive relief, repealing conflicts, and providing effective date for the act." Referred to Committee on Labor and Compensation.

House Bill No. 431, introduced by Twedt (by request): A bill for an act entitled: "An act prohibiting firemen and policemen, other than voluntary firemen and policemen, from engaging in professions or occupations, for hire outside of the scope of their employment as firemen and policemen, and providing a penalty therefore, and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Labor and Compensation.

House Bill No. 432, introduced by Murray: A bill for an act entitled: "An act to amend section 53-122 Revised Codes of Montana, 1947, as last amended by chapter 41, Laws of 1955, relating to minimum fee for vehicle licenses to be paid by dealers." Referred to Committee on Highways.

House Bill No. 433, introduced by Barnard: A bill for an act entitled: "An act to amend section 53-617 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 103, Session Laws of Montana, 1959, relating to sales tax on new motor vehicles; providing that the State Highway Commission may use any available price list if the manufacturer or importer fails to furnish a price list; providing that the proceeds from the tax should be remitted to the State Treasurer every thirty (30) days for credit in the state highway fund; providing for an effective date of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 434, introduced by Mernin: A bill for an act entitled: "An act to amend section 94-35-125, Revised Codes of Montana, 1947, as amended; providing that open-pit mines, shafts, drifts or cuts of a depth greater than ten (10) feet must be fenced; providing penalties for failure to fence; providing treble damages to adjoining property owners for damages caused to their property by such open-pit mines, shafts, drifts or cuts." Referred to Judiciary Committee.

House Joint Resolution No. 11, introduced by Loman, Hibbard, Reed, Rosell, Higham, Hawks: A joint resolution of the House of Representatives and the Senate of the State of Montana, directing the Legislative Council to evaluate the adequacy of Montana's juvenile court law in light of the 1959 Standard Juvenile Act published by the National Council of Juvenile Court Judges, United States Children's Bureau and the National Council on Crime. Referred to Committee on State Administration.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 435, introduced by Reed (by request): A bill for an act entitled: "An act to amend section 66-803, Revised Codes of Montana, 1947, pertaining to licensing qualifications in cosmetology by requiring applicants to have a high school education and a diploma from a registered beauty school; providing that vocational trainees have eighteen months to complete the beauty course; eliminating apprentice licenses; requiring a bond of school operators; forbidding shops and schools to be operated together; and changing the sub-paragraph numbering." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 436, introduced by Barnard: A bill for an act entitled: "An act to protect the public from drowning in open sewage lagoons and open cesspools, by requiring the owner or owners of said sewage lagoons or cesspools, servicing the disposal of sewage of five (5) or more families, in inhabited areas, to take the necessary precautionary measures to be pre-

scribed by the boards of county commissioners in the various counties for adequate fencing or enclosing of said lagoons and cesspools; to provide for a penalty for non-compliance with this act; and to prescribe the duties of the boards of county commissioners, clerk and recorders, sheriffs and county attorneys in the various counties." Referred to Committee on Public Health, Welfare and Safety.

Motion was made by Anderson (Yellowstone) that the House adjourn at the hour of 12:00 p. m. until 10:00 a. m., Monday, January 23, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 23, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart and Higham, excused due to illness, and Hibbard, Regan and Rygg, excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having read the Journal for the Twentieth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

January 21, 1961

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 13.

REED, Chairman.

January 21, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 7, 11, 113, 160, and Substitute House Bills Nos. 47 and 48, beg leave to report that the same have this date been returned from the printer correctly printed.

REED, Chairman.

January 23, 1961

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 27.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 do pass.

HAUGHEY, Chairman.

Report adopted.

I have examined House Bill No. 13 introduced by me and find the same to be correct.

NICHOLS

The Speaker signed House Bill No. 13 in open session, the title having first been read.

MESSAGES FROM THE SENATE

January 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate Amendments:

House Joint Memorial No. 3 introduced by Loman, Haines, Mathers, Dykstra, Etchart, Beam and Lundgren.

Respectfully

ALFRED R. ANDERSON
Secretary of the Senate

January 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 49 introduced by Committee on Education.

Senate Substitute for Senate Bill No. 26 introduced by Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 54 introduced by Harken and Sagunsky.

Senate Bill No. 50 introduced by Committee on Education.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 14 introduced by Keller, Crum and Gustafson.

House Bill No. 25 introduced by Keller, Crum and Gustafson.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that House Bill No. 106 be taken from the Judiciary Committee and referred to the Committee on Townships and Counties. Motion carried.

Motion was made by Haughey that House Bill No. 203 be taken from the Judiciary Committee and referred to the Committee on Business and Industry. Motion carried.

Motion was made by Bentz that House Bill No. 172 be taken from the Committee on Labor and Compensation and referred to the Committee on State Administration. Motion carried.

INTRODUCTION OF BILLS

The following Senate bills were introduced, read first and second times, and referred to committees:

Senate Joint Resolution No. 4, introduced by Committee on Rules: A Joint Resolution of the Senate and House of Representatives amending joint rules 11, 13 and 14. Referred to Committee on Rules and Journal.

Senate Substitute for Senate Bill No. 26, introduced by Committee on Constitution, Elections and Federal Relations: A bill for an act entitled: "An act relating to the qualifications of election judges and election clerks prohibiting a candidate, the spouse of a candidate or one related within the second degree of consanguinity to a candidate from serving as an election judge or election clerk; excepting school elections and candidates for precinct committeeman and committee woman; and containing a repealing clause." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 36, introduced by Newman: A bill for an act entitled: "An act relating to leasing of state lands; providing that the State Board of Land Commissioners may issue permits or leases for the removal of phosphate deposits, by amending section 81-701, R. C. M. 1947." Referred to Committee on State Administration.

Senate Bill No. 42, introduced by Cotton, Thiessen, Nees, Edwards: A bill for an act entitled: "An act to amend section 16-1904 of the Revised Codes of Montana, 1947, relating to hearings on county budgets, adoption thereof, and fixing tax levies, providing for items authorized and appropriated for, in such budgets shall not exceed ten percentum (10%) of the amount appropriated and authorized for such items for the fiscal year immediately preceding; providing for the filing of copies of the final budget and tax levies therefor with the State Examiner by a specified time, and providing for a penalty in case of failure to file; and containing a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 47, introduced by Bovey: A bill for an act entitled: "An

act to amend section 32-2148, R. C. M. 1947, as enacted by section 45, chapter 263, Laws of 1955, as amended by section 1, chapter 241, Laws of 1957, relating to special speed limitation on trucks, truck-tractors, motor-driven cycles and vehicles towing house trailers; increasing gross vehicle weight of trucks and truck-tractors which are restricted to speed limit of fifty (50) miles per hour; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 48, introduced by Bovey: A bill for an act entitled: "An act to amend section 31-126, R. C. M. 1947, as amended by section 1, chapter 95, Laws of 1955, relating to persons exempt from licensing; exempting all drivers of government owned or leased vehicles; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Highways.

Senate Bill No. 49, introduced by the Committee on Education: A bill for an act entitled: "An act to repeal section 75-3721, Revised Codes of Montana, 1947, relating to statement of teaching positions made by the county Superintendent of Schools to the State Treasurer." Referred to Committee on Education.

Senate Bill No. 50, introduced by the Committee on Education: A bill for an act entitled: "An act to repeal section 75-3502, Revised Codes of Montana, 1947, relating to tax levy textbooks." Referred to Committee on Education.

Senate Bill No. 51, introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-3308, Revised Codes of Montana, 1947, relating to standards and regulations for school busses and school bus drivers; containing a repealing clause and fixing an effective date." Referred to Committee on Education.

Senate Bill No. 54, introduced by Harken, Sagunsky: A bill for an act entitled: "An act to amend section 32-2197, R. C. M. 1947, as enacted by section 94, chapter 263, Laws of 1955, relating to requirement of drivers to stop for school busses receiving or discharging school children outside of business or residence districts; requiring drivers to stop for school busses receiving or discharging school children outside the limits of a corporate city or town; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 55, introduced by Cole: A bill for an act entitled: "An act to amend section 31-129, R. C. M. 1947, relating to the issuance of instruction permits and temporary licenses; requiring drivers to be fifteen (15) years old to be eligible for such permits or licenses; increasing life of instruction permit to six (6) months; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 58, introduced by Mahoney, Dussault, Groff, Durkee, Cumming: A bill for an act entitled: "An act to amend section 31-153, R. C. M. 1947, relating to unlawful uses of licenses; deleting the word 'fraudulently' from subsection one (1) of this section; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Judiciary Committee.

Senate Bill No. 59, introduced by Mahoney, Dussault, Groff, Durkee, Cumming: A bill for an act entitled: "An act to amend section 53-434, R. C. M. 1947, as amended by section 1, chapter 106, Laws of 1957; relating to proof of financial responsibility required upon certain convictions; deleting requirement of proof of financial responsibility under circumstances other than license revocation; repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

Senate Bill No. 63, introduced by McKenna (Fergus), Mahoney: A bill for an act entitled: "An act providing that it shall be unlawful for a city attorney, or his associates or employees in a first or second class city, to

represent a defendant in justice or district court." Referred to Judiciary Committee.

Senate Bill No. 71, introduced by Sagunsky, Edwards: A bill for an act entitled: "An act to amend section 31-143, R. C. M. 1947, relating to authority of board to suspend or revoke the license of nonresidents the same as residents; authorizing board to forward certified copy of record of bond forfeitures to states wherein nonresident resides; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

House Bill No. 27, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Bardanouve, Barnard, Conklin, Emmons, Harper, Healy, Jensen (Mineral), Lombardi, McOmber, Mernin, Picard, Shelden, Stimatz, Sullivan (Deer Lodge). Total 14.

Absent or not voting: None.

Excused: Etchart, Hibbard, Higham, Regan, Rygg. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the following rules: First—each speaker upon a motion to be limited to five minutes; second—no member to speak more than once on a motion, except the maker of the motion who shall have an extra five minutes to close the debate. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 62 be passed for the day.

That House Bill No. 34 do pass.

That House Bill No. 49 do pass.

That House Bill No. 95 do pass.

That House Bill No. 109 be amended in Section 1, line 3 of the printed bill, which is page 1, line 13 of the original bill, by inserting after the comma and before the word "Permitting" the word "wilfully";

Be amended further in Section 1, line 4 of the printed bill, which is page 1, line 14 of the original bill, by inserting after the word "to" and before the word "permit", the word "wilfully"; and as amended, do pass.

That House Bill No. 110 do pass.

That consideration of House Bill No. 111 be passed for the day.

That consideration of Substitute House Bill No. 6 be passed for the day.

That House Bill No. 96 do pass.

That House Bill No. 21 do pass.

That House Bill No. 141 do pass.

AASHEIM, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that Substitute House Bill No. 6 be taken from General Orders and rereferred to the Committee on State Administration. Motion carried.

Motion was made by Haughey that House Bills Nos. 343 and 344 be taken from the Judiciary Committee and referred to the Committee on Highways. Motion carried.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 32.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do not pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 be amended as follows:

Amend the title, after the word "election;" by striking out the word

"and", and after the word "clause" by striking out the period and quotation marks and substitute a semi-colon and adding the words "and fixing an effective date." and as amended

Do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 be amended as follows:

Be amended in the title on line 11 of the original bill, following the word "academy" by removing the period and quotation marks and inserting a comma and adding the following words: "and providing an effective date." and as amended,

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do not pass, but that

Substitute House Bill No. 50, introduced by the Committee on Highways: A bill for an act entitled: "An act to amend section 53-129 of the Revised Codes of Montana, 1947, as amended, relating to foreign licensed motor vehicles; providing that Montana motor vehicle reciprocity board may make agreements with other states concerning operation of foreign vehicles; providing that copy of certificate of registration be forwarded to the State Highway Commission; providing for membership of Montana motor vehicle reciprocity board; providing for meetings of said board; authorizing intrastate operations of motor vehicle coincidentally with interstate operation when sanctioned by reciprocal agreement; and repealing of all acts and parts of acts in conflict herewith."

Do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 be amended as follows:

Amend Section 1, sub-section 3, on page 2, line 7 of the original bill by striking the words and figures "Fifty-five (55)" and inserting in lieu thereof the words and figures "Sixty (60)", and as amended

Do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 do not pass.

BROEDER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Page that the following House Bills be taken from the Committee on Ways and Means and referred to the Committee on Townships and Counties: House Bills Nos. 346, 347, 351, 352, 353, 354, 355, 356. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 437, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the state public school equalization fund and providing for the manner of distribution thereof for the period beginning July 1, 1961, and ending June 30, 1963; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."

THIRD READING OF HOUSE BILLS

House Bill No. 32, having been read three several times, title and history agreed to, was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstein, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. speaker. Total 88.

Noes: None.

Absent or not voting: Haines, Mernin. Total 2.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Memorial No. 5 do pass.

That House Joint Memorial No. 7 do pass.

That House Joint Memorial No. 10 do pass.

That House Joint Resolution No. 6 do pass.

That House Bill No. 86 be amended in the title by inserting in line 19, page 2 of the printed bill, (there being no amendment to the original bill), after the word and figures "Section 93-8201;" the following words and figures: "Section 93-8301; section 93-8401;" and as amended, that House Bill No. 86 do pass.

AASHEIM, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Tuesday, January 24, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 24, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Etchart, excused due to illness, and Hibbard, Regan and Rygg, excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-second Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 49, 141, 110, 109, 96, 95, 34, 21.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 25 and 14.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 79, Sub. 80, 115, 120, 189, and House Joint Memorial No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 18, respectfully report as follows: That Senate Bill No. 18 do pass.

SPAHR
CRUM
WEEKS
BRADFORD
HEALY
REED
BALDWIN
TWEDT
KELLER

Motion was made by Keller for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 18, respectfully report as follows: That Senate Bill No. 18 do not pass.

LUCAS
WAYRYNEN
EDWARDS

Substitute motion was made by Lucas for adoption of the Minority report on Senate Bill No. 18. Substitute motion failed to carry. Motion carried for adoption of the Majority report.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 be printed and placed on General Orders.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 be printed and placed on General Orders.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Memorials Nos. 5, 7 and 10, and House Joint Resolution No. 6.

REED, Chairman.

I have examined House Bill No. 14 introduced by me and find the same to be correct.

KELLER

I have examined House Bill No. 25 introduced by me and find the same to be correct.

KELLER

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 14 and 25.

MESSAGES FROM THE SENATE

January 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial and House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Joint Memorial No. 6 introduced by Nichols, Hawks, Loman, Jensen (Lake), Kvaalen, Bardanouve, Anderson (Yellowstone) and Beam.

House Bill No. 18 introduced by Keller, Crum and Gustafson.

House Bill No. 19 introduced by Keller, Crum and Gustafson.

House Bill No. 17 introduced by Keller, Crum and Gustafson.

House Bill No. 16 introduced by Keller, Crum and Gustafson.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Memorial and Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence.

Senate Joint Memorial No. 2 introduced by Beley, Dussault, Balgord, O'Neill, Reardon, LaCombe, Newman, Durkee and Rostad.

Senate Bill No. 30 introduced by Sagunsky.

Senate Bill No. 77 introduced by Shaw, McDonnell and McKeon.

Senate Bill No. 60 introduced by Dussault and Harken.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Conklin, having voted on the prevailing side, moved that the House reconsider its action taken yesterday in adopting an adverse committee report on House Bill No. 61. Motion carried.

Motion was made by Conklin that House Bill No. 61 be rereferred to the Committee on State Administration. Motion carried.

Motion was made by Loman that House Bills Nos. 43 and 389 be taken from the Committee on Business and Industry and referred to the Committee on Ways and Means. Motion carried.

Motion was made by Anderson (Yellowstone) that House Bill No. 86 be considered correctly engrossed and placed on the calendar for Third Reading. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Joint Memorial No. 2, introduced by Beley, Dussault, Balgord, O'Neill, Reardon, LaCombe, Newman, Durkee, Rostad: A Joint Memorial of the Senate and House of Representatives of the Thirty-seventh Legislative Session of the State of Montana to the Honorable John F. Kennedy, President of the United States of America, to the Honorable J. Edward Day, Postmaster General of the United States of America, to United States Senators of Montana, the Honorable Michael J. Mansfield and the Honorable Lee Metcalf, to the Congressmen of Montana, the Honorable Arnold H. Olsen and the Honorable James Battin, to the Interstate Commerce Commission, and the United States Civil Aeronautics Board; requesting the maintenance of railway service for first-class mail and air mail service at air mail rates as the most efficient and satisfactory combination for the State of Montana, and requesting opposition to legislation diverting first-class mail for railway service at the expense of taxpayers. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 30, introduced by Sagunsky: A bill for an act entitled: "An act authorizing and empowering the State Board of Land Commissioners of the State of Montana to sell and convey a tract of land in the north west quarter of the south west quarter and south west quarter of the north west quarter, (NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section Twenty-two (22), Township Three (3) South, Range Six (6) West, Montana Principal Meridian, comprising twelve and seventy-seven hundredths (12.77) acres, Madison County, to the best interests of the State of Montana; providing for metes and bounds descriptions of said land; providing for plating the acreage into lots and blocks if deemed necessary to the best interests of the state; providing for appraisal of said land; providing for notice of sale pursuant to section 81-909 of the Revised Codes of Montana, 1947; providing costs of sale and all expense incidental thereto shall be paid only out of the proceeds of the sale; and providing the net proceeds of the sale shall go to the state general fund; providing for the effective date of act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

Senate Bill No. 77, introduced by Shaw, McDonnell, McKeon: A bill for an act entitled: "An act to amend section 16-2028, Revised Codes of Montana, 1947, relating to county bond issues, to provide that authority to issue bonds as previously granted by a bond election shall be automatically rescinded if the bonds have not been sold within three years of the date of the election and if no vested rights have accrued under the bond issue." Referred to Committee on Townships and Counties.

Senate Bill No. 60, introduced by Dussault, Harken: A bill for an act entitled: "An act adopting and inserting as a new chapter 2601 in title 93,

Revised Codes of Montana, 1947, the uniform reciprocal enforcement of support act as amended by the national conference of commissioners on uniform state laws of 1958; providing additional remedies for enforcement of duties of support; providing for criminal enforcement by extradition; providing for civil enforcement where parties reside in different states or in different counties of Montana; providing for registration and enforcement of foreign support orders and support orders issued in different counties of Montana; and repealing sections 1 through 18 of chapter 222, Laws of 1951, codified as chapter 901, sections 94-901-1 through 94-901-18, 1959 cumulative pocket supplement to volume 8, Revised Codes of Montana, 1947, and repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Judiciary Committee.

Substitute House Bill No. 50, introduced by Committee on Highways: A bill for an act entitled: "An act to amend section 53-129 of the Revised Codes of Montana, 1947, as amended, relating to foreign licensed motor vehicles; providing that Montana motor vehicle reciprocity board may make agreements with other states concerning operation of foreign vehicles; providing that copy of certificate of registration be forwarded to the State Highway Commission; providing for membership of Montana motor vehicle reciprocity board; providing for meetings of said board; authorizing intra-state operations of motor vehicle coincidentally with interstate operation when sanctioned by reciprocal agreement; and repealing of all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 49 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Daniels. Total 1.

Absent or not voting: Jenkins, Jensen (Lake), Schye. Total 3.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 141 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Reinecke, Rosell, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 62.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Harper, Healy, Laas, Lewis, Lombardi,

Mernin, Picard, Raundal, Schwinden, Shelden, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 26.

Absent or not voting: Eskildsen. Total 1.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 110 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Teigen. Total 1.

Absent or not voting: Higham, Jensen (Lake). Total 2.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 109 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Blewett, Conklin. Total 2.

Absent or not voting: Jensen (Lake). Total 1.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 96 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz,

Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker.
Total 89.

Noes: None.

Absent or not voting: None.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 95 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker.
Total 89.

Noes: None.

Absent or not voting: None.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 34 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker.
Total 89.

Noes: None.

Absent or not voting: None.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Bill No. 21 failed to pass by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Bush, Cerovski, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 36.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Conklin, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nel-

stead, Nichols, Page, Pierce, Reinecke, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 53.

Absent or not voting: None.

Excused: Etchart, Hibbard, Reed, Regan, Rygg. Total 5.

House Joint Memorial No. 5 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Coulter, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Mernin, Murray, Nelstead, Nichols, Page, Pierce, Reed, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Stimatz, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 59.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Bush, Cerovski, Conklin, Daniels, Emmons, Hanks, Harper, Judge, Laas, Lewis, McOmber, Moudree, Picard, Raundal, Reinecke, Schwinden, Shelden, Spahr, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 29.

Absent or not voting: Eskildsen, Melcher. Total 2.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

House Joint Memorial No. 7 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Bush. Total 1.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

House Joint Memorial No. 10 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Reinecke, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 64.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Harper, Judge, Kvaalen,

Lewis, McOmber, Moudree, Raundal, Schwinden, Shelden, Spahr, Teigen, Twedt, Wayrynen. Total 25.

Absent or not voting: Melcher. Total 1.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: None.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

House Bill No. 86 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Reed, Reinecke, Rosell, Schwinden, Schye, Semour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Raundal, Stearns. Total 2.

Excused: Etchart, Hibbard, Nichols, Regan, Rygg. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Bradford of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 62 do pass.

BRADFORD, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 114, 72, 81, 85, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do not pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do not pass, but that Substitute House Bill No. 42,

A bill for an act entitled: "An act to permit two or more counties, by contract, to establish joint county youth guidance centers; to provide for apportionment of costs among the contracting counties on such a basis to be agreed upon by said contracting counties."

Do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 be amended as follows:

In section 1 of paragraph (b), line 20 of page 1 of the original bill, following the word "No." by deleting the figure "51" and inserting in lieu thereof the figure "61";

Be amended further in section 1 of paragraph (b), line 21 of page 1 of the original bill following the number "2" by deleting the figure "1948" and inserting in lieu thereof the figure "1958";

Be amended further in section 2 of paragraph (b), line 9 of page 2 of the original bill, following the word "No." by deleting the figure "51" and inserting in lieu thereof the figure "61";

Be amended further in section 2 of paragraph (b), line 10 of page 2 of the original bill following the number "2" by deleting the figure "1948" and inserting in lieu thereof the figure "1958";

And as amended, do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 62.

REED, Chairman.

MESSAGES FROM THE SENATE

January 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Agriculture on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 10 introduced by Bardanouve and Eskildsen.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

January 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate bills and Senate Joint Resolution were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 81 introduced by Michels

Senate Bill No. 99 introduced by Wilson and Hibbs

Senate Bill No. 28 introduced by Dussault, Harken and Lehrkind

Senate Bill No. 73 introduced by Rieder, Michels, Thiessen, McGowan, Brenner, Grieve and Stein

Senate Bill No. 79 introduced by Harken

Senate Bill No. 56 introduced by McKenna (Fergus) and Rice

Senate Joint Resolution No. 5 introduced by the Committee on Employment

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Joint Memorial No. 15, introduced by Bardanoue, Eskildsen: A Joint Memorial to United States Secretary of Agriculture, the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold Olsen and James Battin, Congressmen from the State of Montana, requesting Congress to amend the necessary federal statutes to provide that state correctional institutions for adults are eligible to receive federal donations of non-luxury type surplus foods. Referred to Committee on State Administration.

Substitute House Bill No. 42, introduced by the Committee on Townships and Counties: A bill for an act entitled: "An act to permit two or more counties, by contract, to establish joint county youth guidance centers; to provide for apportionment of costs among the contracting counties on such a basis to be agreed upon by said contracting counties." Referred to Committee on Bills.

House Bill No. 438, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of cumulative pocket supplements of 1961, for the Revised Codes of Montana, 1947." Referred to Committee on Appropriations.

House Bill No. 439, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume four of the Revised Codes of Montana of 1947; and providing an effective date." Referred to Committee on Appropriations.

Senate Bill No. 81, introduced by Michels: A bill for an act entitled: "An act to amend section 53-102 (1755.1), R. C. M. relating to penalty for violations and enforcement of provisions of motor vehicle registration laws; providing penalties for violation of sections 53-106, as amended, 53-106.1, 53-106.2, 53-106.6, 53-107, as amended, 53-108, as amended, and 53-109, as amended, R. C. M. 1947, repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 99, introduced by Wilson, Hibbs: A bill for an act entitled: "An act to amend section 60-132, Revised Codes of Montana, 1947, relating to rules and regulations, hearings, notice of hearings and emergency orders of the oil and gas conservation commission of the State of Montana; amending sub-section D. of said section relative to the manner in which the commission shall give notice of hearing; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

Senate Bill No. 28, introduced by Dussault, Harken, Lehrkind: A bill for an act entitled: "An act amending chapter 19 of title 93, Revised Codes of Montana, 1947, and sections therein contained, being 93-1901, 93-1902, 93-1903, 93-1904, 93-1905, 93-1906, 93-1907 and 93-1908, relating to court stenographers; deleting therefrom reference to the term 'court stenographer' and substituting therefor the term 'court reporter'; amending section 93-1906, Revised Codes of Montana, 1947, as amended by chapter 19, Session Laws of 1955, further by providing for salary increase to the sum of six thousand six hundred dollars (\$6,600.00) per year; repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

Senate Bill No. 73, introduced by Rieder, Michels, Thiessen, McGowan, Brenner, Grieve, Stein: A bill for an act entitled: "An act to amend section 93-9906, of the Revised Codes of Montana, 1947, relating to lands required for public use; providing that public use must be compatible with the greatest public good and the least private injury; providing that consideration must be given to irrigated lands or lands susceptible of irrigation; providing that when interstate highways are

to be located where a controversy arises concerning the location of the same, upon written petition by a landowner or landowners the judge or judges of the judicial district involved shall appoint a citizen's committee of six resident freeholders, three of whom shall be rural resident freeholders who shall sit with the state highway commission as a board of arbitrators at a specified time, to determine, hear and decide such controversy, providing the giving of agents of the state the right to enter upon such lands, after conference with landowner or landowners; and providing for an effective date of this act." Referred to Committee on State Administration.

Senate Bill No. 79, introduced by Harken: A bill for an act entitled: "An act to amend section 53-107, Revised Codes of Montana, 1947, as amended by section 1, chapter 115, Laws of 1953; as amended by section 1, chapter 200, Laws of 1955, relating to certificates of registration and ownership—contents, issuance, entry, assignment of numbers—owner's registration receipt to be signed, carried and exhibited on demand; requiring certificates of registration receipt to be carried in all vehicles, excluding passenger cars, or to be carried by persons driving or in control of such vehicle; striking provision which exempts carrying and exhibiting certificate during re-registration or transfer of title; fixing penalty for violation of section; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 56, introduced by McKenna (Fergus), Rice: A bill for an act entitled: "An act to amend section 26-321 of the Revised Codes of Montana, 1947; as amended by section 1, chapter 132, Laws of 1955; relating to closed and open season for fur-bearing animals, to delete fox and add Canada lynx and black-footed ferret." Referred to Committee on Fish and Game.

Senate Joint Resolution No. 5, introduced by the Committee on Employment: A Joint Resolution declaring an emergency to exist up to and including March 2, 1961, and providing for the compensation and employment of additional help in addition to the employees enumerated in section 43-212, of the Revised Codes of Montana, of 1947, for the Senate during the Thirty-seventh Legislative Assembly of the State of Montana pursuant to the authority granted by section 43-313, of the Revised Codes of Montana, of 1947, and providing that such additional help and said emergency shall cease not later than March 2, 1961. Referred to Committee on Legislative Administration.

THIRD READING OF HOUSE BILLS

The title and history of House Bill No. 62 having been read, Coulter requested a call of the House. A sufficient number of seconds arose and the Speaker ordered a roll call and a call of the House. Progress having been reported, Coulter moved that the call of the House be dispensed with. Motion carried.

Thereupon, House Bill No. 62 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Beam, Bentz, Broeder, Burrell, Cerovski, Conklin, Crum, Daniels, Dykstra, Edwards, Eskildsen, Falkenstern, Gustafson, Hazelbaker, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lord, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Reinecke, Rosell, Schye, Smith, Spilde, Stearns, Stranahan, Thompson, Weeks, Wright, Mr. Speaker. Total 48.

Noes: Aasheim, Abel, Asbjornson, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Bush, Coulter, Emmons, Goan, Haines, Hall, Hanks, Harper, Haughey, Healy, Jenkins, Judge, Keller, Laas, Lombardi, Lucas, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Schwinden, Seymour, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt. Total 40.

Absent or not voting: Shelden, Wayrynen. Total 2.

Excused: Etchart, Hibbard, Regan, Rygg. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Bradford of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 111 do pass.

That House Bill No. 7 do pass.

That House Bill No. 11 do pass.

That House Bill No. 113 do pass.

That consideration of House Bill No. 160 be passed for the day.

That Substitute House Bill No. 47 be amended in section 1 of the printed bill on line 2, by adding after the word "follows:" and before the word "When" on line 3 (which is line 13, page 1 of the original bill) the following words and figures: "82-1504. Hail insurance secured by crop lien only."; And as amended, do pass.

BRADFORD, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a.m., Wednesday, January 25, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 25, 1961

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Daniels, absent, Hibbard, excused for personal business, and Goan, Schwinden, Sullivan (Silver Bow) and Thompson, excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-third Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 195, 127, 112, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

January 24, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 108, 190, 59, 67, 78, 119, 145, 161, 184, 191, 196 and 234, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do not pass, but that

Substitute House Bill No. 175: A bill for an act entitled: "An act providing for hide certificates, recording of certificates and identification of hides; providing definitions; amending section 46-1102, Revised Codes of Montana, 1947, providing a misdemeanor penalty for falsifying a hide certificate or failing to affix the required identification tag; amending section 46-1106, Revised Codes of Montana, 1947, by excluding licensed slaughterhouses from hide licensing requirements; amending section 46-1107, Revised Codes of Montana, 1947, by providing a license fee of five dollars (\$5.00) for a hide dealer or buyer, to be paid to the livestock commission fund; providing a misdemeanor penalty for acting as a hide dealer or buyer without a license; providing for revocation of such license upon conviction; repealing sections 46-1101, 46-1108, 46-1109, 46-1110, 46-1111, 46-1112, and 46-1113, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."

Do pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 7, 11, 111, 113, and Substitute House Bills Nos. 47 and 48.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Coulter that House Bill No. 79 be taken from General Orders and rereferred to the Committee on Bills. Motion carried.

Motion was made by Kvaalen that House Bill No. 160 be taken from General Orders and rereferred to the Committee on Education. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 440, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purpose of paying certain expenses for Northern Montana College and to transfer monies from one account to another within the present appropriations of Montana State College, the Agricultural Experiment Station and substations, the Agricultural Extension Service, Eastern Montana College of Education, Northern Montana College and Montana State University for the current biennium ending June 30, 1961." Referred to the Committee on Appropriations.

House Bill No. 441, introduced by Johnson, Nichols, Reed, Rosell, Bardanoue, McOmber, Leuthold, Conklin, Lundgren, Stearns, Bentz: A bill for an act entitled: "An act relating to the regulation, licensing, and bonding of trading stamp companies regulating the issuance and discontinuance of issuance of trading stamps, providing a penalty for the violation thereof, providing an effective date; and providing for cases of unconstitutionality." Referred to the Committee on Ways and Means.

House Joint Memorial No. 16, introduced by Swanz, Melcher, Schye, Weeks: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Senator Mike Mansfield of Montana; Senator Lee Metcalf of Montana; Congressman Arnold Olsen of Montana; Congressman James Battin of Montana; the Committee on Interstate and Foreign Commerce of the United States Senate; the Committee on Interstate and Foreign Commerce of the United States House of Representatives; the Interstate Commerce Commission; opposing the abandonment of passenger service on the Milwaukee Railroad. Referred to Committee on Business and Industry.

Substitute House Bill No. 175, introduced by Committee on Livestock and Ranges: A bill for an act entitled: "An act providing for hide certificates, recording of certificates and identification of hides; providing definitions; amending section 46-1102, Revised Codes of Montana, 1947, providing a misdemeanor penalty for falsifying a hide certificate or failing to affix the required identification tag; amending section 46-1106, Revised Codes of Montana, 1947, by excluding licensed slaughterhouses from hide licensing requirements; amending section 46-1107, Revised Codes of Montana, 1947, by providing a license fee of five dollars (\$5.00) for a hide dealer or buyer, to be paid to the livestock commission fund; providing a misdemeanor penalty for acting as a hide dealer or buyer without a license; providing for revocation of such license upon conviction; repealing sections 46-1101, 46-1108, 46-1109, 46-1110, 46-1111, 46-1112 and 46-1113, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 7 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Bush, Daniels, Nelstead. Total 3.

Excused: Goan, Hibbard, Schwinden, Sullivan (Silver Bow), Thompson. Total 5.

House Bill No. 11 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Daniels, Nelstead. Total 2.

Excused: Goan, Hibbard, Schwinden, Sullivan (Silver Bow), Thompson. Total 5.

House Bill No. 111 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Daniels. Total 1.

Excused: Goan, Hibbard, Schwinden, Sullivan (Silver Bow), Thompson. Total 5.

Substitute House Bill No. 47 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Conklin, Daniels. Total 2.

Excused: Goan, Hibbard, Schwinden, Sullivan (Silver Bow), Thompson. Total 5.

Substitute House Bill No. 48 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Conklin, Daniels, Raundal. Total 3.

Excused: Goan, Hibbard, Schwinden, Sullivan (Silver Bow), Thompson. Total 5.

House Bill No. 113 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brener, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Eskildsen, Harper, Moudree. Total 3.

Absent or not voting: Aasheim, Daniels, Raundal. Total 3.

Excused: Goan, Hibbard, Schwinden, Sullivan (Silver Bow), Thompson. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business un-

der General Orders, under the rules of the previous sitting. Motion carried.

Abel of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 115 be amended in section 1 by striking out in line 76 of page 4 of the printed bill, which is page 4, line 8 of the original bill, the word "do" and inserting in lieu thereof the word "does"; and as amended, do pass.

That House Bill No. 120 do pass.

That House Bill No. 189 do pass.

That Substitute House Bill No. 80 be amended in the title thereof by substituting a semi-colon for the period after the word "herewith" in the last line of the title, and adding the following words and period: "and providing an effective date."; and as amended, do pass.

That consideration of House Joint Memorial No. 2 be passed for the day.

That House Bill No. 114 do pass.

That consideration of House Bill No. 72 be passed for the day.

That House Bill No. 81 do pass.

That House Bill No. 85 do pass.

ABEL, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 16, 17, 18, 19.

REED, Chairman.

I have examined House Bill No. 16 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 17 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 18 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 19 introduced by me and find the same to be correct.

KELLER.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 16, 17, 18 and 19.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do not pass, but that

Substitute House Bill No. 282, A bill for an act entitled: "An act to provide that the state stock inspector or any other authorized person may seize beef, veal and/or hides when a brand has been mutilated or ownership cannot be determined; to provide for sale of the seized beef, veal and/or hides; to provide for disposition of the proceeds therefrom; and to provide for the rightful owner to make a claim against said proceeds."

Do pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do pass.

KELLER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Stockgrowing and Grazing on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 57 introduced by Hibbard and Gustafson.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Nelstead that House Bills Nos. 384, 385 and 386 be taken from the Committee on Affairs of Cities, and referred to the Judiciary Committee. Motion carried.

Motion was made by Pierce that House Bill No. 79 be taken from the Committee on Bills and rereferred to General Orders. Motion carried.

Kolar moved that House Bill No. 310 be taken from the Committee on Townships and Counties and referred to the Judiciary Committee. Motion carried.

INTRODUCTION OF BILLS

Substitute House Bill No. 282 was introduced, read first and second times and referred to the Committee on Bills:

Substitute House Bill No. 282, introduced by the Committee on Livestock and Ranges: A bill for an act entitled: "An act to provide that the state stock inspector or any other authorized person may seize beef, veal and/or hides when a brand has been mutilated or ownership cannot be determined; to provide for sale of the seized beef, veal and/or hides; to provide for disposition of the proceeds therefrom; and to provide for the rightful owner to make a claim against said proceeds."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve

itself into a Committee of the Whole, for the consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Abel of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Amendments to House Joint Memorial No. 3 be passed for the day.

That consideration of Senate Bill No. 16 be passed for the day.

That the enacting clause be stricken from Senate Bill No. 18.

ABEL, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Lucas, having voted on the prevailing side on previous action taken on Senate Bill No. 18 moved that the House reconsider its action in striking the enacting clause from Senate Bill No. 18 in Committee of the Whole.

Substitute motion was made by Haines that the motion by Lucas be tabled. Substitute motion carried.

January 24, 1961

Mr. Speaker:

We, your Committee on Bills, to whom was referred House Bills Nos. 13, 14 and 25, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:48 o'clock p. m. delivered to the Governor for his approval.

REED, Chairman.

January 25, 1961

Mr. Speaker:

We, your Committee on Bills, to whom was referred House Bills Nos. 16, 17 and 18 and 19, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, as the hour of 2:25 o'clock, p. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Thursday, January 26, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 26, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Hibbard, excused for personal business, and Regan and Rygg, excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fourth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 80, and House Bills Nos. 81, 85, 114, 115, 120, 189.

REED, Chairman.

January 25, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 130 and Sub. 50, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 180, 162, 235, 244, 165, 316, 155 and Sub. House Bill No. 42, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Majority of your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

LOMAN
CONKLIN
LAAS
HILLING
THOMPSON
ABEL
HAINES

Motion was made by Haines for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 be amended by striking in line 1 of page 2 of the original bill "eight thousand five hundred (8,500)" and inserting in lieu thereof the words and figures "ten thousand (10,000)"

Be amended further by striking in line 3, page 2 of the original bill "in excess of four thousand two hundred fifty persons";

And as amended, do pass.

SCHWINDEN
NICHOLS
SHELDEN

Substitute motion was made by Schwinden for adoption of the Minority committee report. After debate Conklin moved for the previous question. Motion carried. Anderson (Yellowstone) requested a roll call vote on the substitute motion and that the results thereof be recorded in the Journal. A sufficient number of seconds arose, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bardanouve, Barnard, Brenner, Burrell, Cerovski,

Daniels, Edwards, Eskildsen, Harper, Healy, Kvaalen, Lewis, Lombardi, McOmber, Mernin, Nichols, Picard, Raundal, Schwinden, Shelden, Stimatz, Teigen, Twedt, Wayrynen. Total 25.

Noes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Bradford, Broeder, Bush, Conklin, Crum, Dykstra, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Moudree, Murray, Nelstead, Page, Pierce, Reed, Reinecke, Rosell, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 62.

Absent or not voting: Bashor, Coulter, Jensen (Mineral), Sullivan (Silver Bow). Total 4.

Excused: Hibbard, Regan, Rygg. Total 3.

Original motion by Haines carried. Majority report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 do not pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 12, respectfully report as follows: That House Joint Memorial No. 12 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do not pass, but that

Substitute House Bill No. 61, A bill for an act entitled: "An act relating to vocational rehabilitation and education; changing the name of the Bureau of Vocational Rehabilitation to the Division of Vocational Rehabilitation by amending sections 41-801, 41-802, 41-803, 41-804 and 41-805, R. C. M. 1947." do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Memorial No. 6.

REED, Chairman.

I have examined House Joint Memorial No. 6 introduced by me and find the same to be correct.

NICHOLS

The Speaker signed House Joint Memorial No. 6 in open session, the title having first been read.

MESSAGES FROM THE SENATE

January 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 68 introduced by Cashmore, Siderius, Dussault and Harken.

Senate Bill No. 69 introduced by Cashmore, Siderius, Dussault and Harken.

Senate Bill No. 70 introduced by Cashmore, Siderius, Dussault and Harken.

Senate Bill No. 43 introduced by Newman and Cumming.

Senate Bill No. 102 introduced by Cook.

Senate Bill No. 90 introduced by Dussault, Hibbs, Mahoney, Bovey and Reardon.

Senate Bill No. 80 introduced by Michels.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that the House reconsider its previous action in adopting an adverse report on House Bill No. 126. Motion carried.

Motion was made by Haughey that House Bill No. 126 be rereferred to the Judiciary Committee. Motion carried.

Motion was made by Daniels that House Joint Memorial No. 16 be taken from the Committee on Business and Industry and referred to the Committee on Rules and Journal. Motion carried.

Pierce moved that House Bill No. 184 be taken from General Orders and rereferred to the Committee on Fish and Game. Motion carried.

Anderson (Yellowstone) moved that the Speaker be empowered to appoint a committee of six members to represent this Body at the funeral of the late former representative from Lewis and Clark County, Fred H. Padbury. Motion carried.

The Speaker appointed the following committee: Hazelbaker, Page, Dykstra, Emmons, Barnard and Judge.

Motion was made by Wright that Senate Bill No. 73 be taken from the Committee on State Administration and referred to the Committee on Highways. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 68, introduced by Cashmore, Siderius, Dussault and Harken: A bill for an act entitled: "An act to provide for applications for marriage license; providing that no marriage license shall be issued for at least five (5) days after the application is filed; providing that any district

judge may upon satisfactory evidence shorten the time; providing that such application for marriage license must be subscribed and sworn to by the parties; and the contents of such application and for the issuance of the marriage license, and containing a repealing clause." Referred to Judiciary Committee.

Senate Bill No. 69, introduced by Cashmore, Siderius, Dussault and Harken: A bill for an act entitled: "An act to amend sections 48-102, 48-119, 48-120 and 48-121, Revised Codes of Montana, 1947, and section 48-134, Revised Codes of Montana, 1947, as amended by chapter 21, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to marriage; raising the ages at which unmarried males and unmarried female, respectively, are capable of consenting to and consummating marriage without the consent of their parents, or parent, or guardian; providing that certain non-aged persons are capable of consenting to and consummating marriage with the written consent of the father if living and having custody and control, if not, then of the mother of such person under age, or the guardian, or person under whose care such person under age may be; prohibiting the issuance of marriage license to such non-aged persons in the absence of such consent; providing for the filing of such consent in the office of the clerk of the district court and for the endorsement of the fact thereof on the marriage license of such non-aged persons; repealing section 48-104, Revised Codes of Montana, 1947, repealing section 48-121, Revised Codes of Montana, 1947, relating to the voidability of certain marriages; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Judiciary Committee.

Senate Bill No. 70, introduced by Cashmore, Siderius, Dussault, Harken: A bill for an act entitled: "An act to amend sections 48-202, 48-203, 48-204 and 48-205, Revised Codes of Montana, 1947, relating to annulling marriage; providing, as a ground of annulment, that the party in whose behalf it is sought to have the marriage annulled was without the capability of consenting thereto; deleting the provision that an action to obtain a decree of nullity of marriage of a party who was married under the age of legal consent may be brought by a person, other than a parent or guardian of such party, having charge of such party; providing that the issue of certain marriages is legitimate; authorizing the court in annulment proceedings to make orders for the custody, care, education, maintenance and support of children; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Judiciary Committee.

Senate Bill No. 43, introduced by Newman, Cumming: A bill for an act entitled: "An act to amend section 50-704, of the Revised Codes of Montana of 1947, relating to the contents of affidavit of performance of annual work on lode or placer claims by the owner, and recording thereof, within twenty days after the annual work; defining annual assessment work; and containing a repealing clause." Referred to Committee on Labor and Compensation.

Senate Bill No. 102, introduced by Cook: A bill for an act entitled: "An act authorizing the State Fish and Game Commission to issue special non-resident antelope and special non-resident deer licenses, fixing the fees, and powers, and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed, and containing an expiration date." Referred to Committee on Fish and Game.

Senate Bill No. 90, introduced by Dussault, Hibbs, Mahoney, Bovey, Reardon: A bill for an act entitled: "An act to amend section 93-321, Revised Codes of Montana, 1947, relating to departments of district courts in districts having more than one judge, by requiring that each judge shall be assigned to a numbered department; to amend section 23-2001 of the Revised Codes of Montana, 1947, relating to nomination and election of district court and supreme court judges; providing that each office for associate justice of the supreme court is a separate and independent office for election purposes; providing that each department of the district court in districts which have more than one judge is a separate and independent

office for election purposes; to amend section 23-2003, Revised Codes of Montana, 1947, relating to nomination and election of associate justices of the supreme court and judges, by requiring candidates for nomination to the office of associate justice of the supreme court to designate in their petition for nomination the number of the associate justice whose office they are seeking; and requiring candidates for judge in districts having more than one judge to specify the numbered department to which they seek nomination and election and limiting their candidacy to the numbered department so specified; to amend section 23-2005, Revised Codes of Montana, 1947, relating to arrangement and certification of names of judicial candidates; and repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

Senate Bill No. 80, introduced by Michels: A bill for an act entitled: "An act to amend section 32-1126, Revised Codes of Montana, 1947, relating to the authority of officers to weigh loads and require the removal of excessive loads; providing that all materials so unloaded, as required by this section shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator of such vehicle and providing a time of removal; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 442, introduced by Conklin, Coulter, Leuthold, Schye, Lord, Lundgren, Falkenstern, Twedt, Hall, Bentz: A bill for an act entitled: "An act to regulate the giving or furnishing of trading stamps or other similar devices, requiring a state license for engaging in such business; providing certain exemptions; providing a penalty for the violation thereof, and providing an effective date." Referred to Committee on Ways and Means.

Substitute House Bill No. 61, introduced by Committee on State Administration: A bill for an act entitled: "An act relating to vocational rehabilitation and education; changing the name of the Bureau of Vocational Rehabilitation to the Division of Vocational Rehabilitation by amending sections 41-801, 41-802, 41-803, 41-804 and 41-805, R. C. M. 1947." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Substitute House Bill No. 80 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Loman, Reinecke, Spilde. Total 3.

Excused: Hibbard, Reed, Regan, Rygg. Total 4.

Motion was made by Anderson (Yellowstone) that the balance of bills on Third Reading be passed for the day. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Hazelbaker of Beaverhead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Joint Memorial No. 2 be passed for the day.

That House Bill No. 72 do pass.

That Senate Bill No. 16 be amended in the title by deleting from the title the words: "or orange or a combination of red, orange or yellow colors on clothing" and by inserting in lieu thereof the words and punctuation: " , orange or yellow color on clothing";

Be further amended in the title in the last line thereof by deleting the period and quotation marks and inserting a semi-colon and adding the words: "and containing a repealing clause.";

Be further amended in Section 1, in lines 8 and 9 of the printed bill, which is line 19, page 1 of the original bill, by deleting the following words: "or orange color or a combination of red, orange or yellow colors." and by inserting in lieu thereof the words and punctuation: " , orange, or yellow color.";

And as amended, be concurred in.

That consideration of House Bill No. 79 be passed for the day.

That Senate Amendments to House Joint Memorial No. 3 be concurred in.

That House Bill No. 195 be placed on the General Orders calendar following House Bill No. 196.

That House Bill No. 127 do pass.

That House Bill No. 112 do pass.

That consideration of House Bill No. 59 be passed for the day.

That House Bill No. 67 be amended in the title by striking out in lines 18 and 19 thereof, the following words: "providing for the effective date of this act;"

And as amended, do pass.

That House Bill No. 78 do pass.

That House Bill No. 119 do pass.

That consideration of House Bill No. 145 be passed for the day.

That consideration of House Bill No. 234 be passed for the day.

That House Bill No. 161 do pass.

That House Bill No. 191 do pass.

That consideration of House Bill No. 196 be passed for the day.

That consideration of House Bill No. 195 be passed for the day.

That House Bill No. 108 be amended in Section 2 by striking Section 2 in its entirety;

And as amended, do pass.

That House Bill No. 190 be amended in Section 1 in lines 16 and 17 of the original bill, by striking out the following: "from and after the first day of April, A. D. 1917";

And as amended, do pass.

HAZELBAKER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that House Bill No. 59 be taken from General Orders and rereferred to the Committee on Highways. Motion carried.

Motion was made by Anderson (Yellowstone) that House Bill No. 79 be taken from General Orders and rereferred to the Committee on Bills. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Ways and Means:

House Bill No. 443, introduced by Aasheim: A bill for an act entitled: "The county, city and town trading stamp act; permitting each county, city and town in Montana to license trading stamp companies on a local option basis; setting the annual license fee at a sum to be determined by the population of each county, city or town; providing a penalty and enforcement."

Anderson (Yellowstone) moved that the House adjourn until Friday, January 27, 1961, at 10:00 a. m. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 27, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Mr. Speaker, absent due to illness, Goan and Thompson, excused for legislative business, and Hibbard, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fifth Legislative Day, find the same to be correct.

HAINES, Vice Chairman

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 72, 78, 108, 112, 119, 127, 161, 190, 191.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 176, 233, 199, 156, 211 and Substitute House Bill No. 282, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Majority of your Committee on Affairs of Cities, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do not pass.

JENSEN (Lake)
SCHYE
SPILDE
SWANZ
BEAM
HALL
NELSTEAD

Motion was made by Nelstead for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Affairs of Cities, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do pass.

LUCAS
ABEL
LOMBARDI
SULLIVAN (Deer Lodge)
BRADFORD

Substitute motion was made by Lucas for adoption of the Minority committee report. Substitute motion failed to carry. Majority report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 10, respectfully report as follows: That House Joint Resolution No. 10 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 13, respectfully report as follows: That House Joint Memorial No. 13 do not pass.

HAINES, Chairman.

Motion was made by Loman for adoption of the committee report. Substitute motion was made by Bardanoue that House Joint Memorial No. 13 be printed and placed on General Orders. Substitute motion carried.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had un-

der consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 do not pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass.

HIGHAM, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 26, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Public Health, Welfare and Safety, report adopted, and the same is herewith returned to the House:

House Bill No. 141 introduced by Hibbard, Weeks, Lucas, Reed, Anderson (Yellowstone), Haughey and Johnson.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 26, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 15 introduced by Keller, Crum and Gustafson.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 26, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Substitute Senate Bill No. 72 introduced by Committee on Fish and Game.

Substitute Senate Bill No. 25 introduced by Committee on Commerce and Labor.

Senate Substitute for Senate Bill No. 86 introduced by Committee on Highways and Transportation.

Senate Bill No. 109 introduced by Mahoney and Manning.

Senate Bill No. 23 introduced by Schoonover, Thiessen and Brenner.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Substitute Senate Bill No. 25, introduced by Committee on Commerce and Labor: A bill for an act entitled: "An act to provide that workmen's compensation benefits shall not be terminated without approval of industrial accident board until employee resumes employment or doctor designated by board files written report that he is no longer disabled, or until the dispute with respect to disability between him and the employer, insurer or industrial accident fund, as the case may be, has been resolved, and providing an effective date." Referred to Committee on Labor and Compensation.

Senate Substitute for Senate Bill No. 86, introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to amend section 31-125, Revised Codes of Montana, 1947, as amended by section 1, chapter 37, Laws of 1951, as amended by section 1, chapter 79, Laws of 1957, and as amended by section 1, chapter 51, Laws of 1959, relating to

licensing of operators and chauffeurs; requiring the surrender of all drivers licenses upon issuance of Montana license; requiring all surrendered licenses to be forwarded to issuing department; prohibiting persons from possessing more than one (1) drivers license; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Highways.

Senate Bill No. 109, introduced by Mahoney, Manning: A bill for an act entitled: "An act to amend section 31-131, R. C. M. 1947, relating to application for drivers license of minors; authorizing surviving parent or custodian of minor to sign application for licensee; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 23, introduced by Schoonover, Thiessen, Brenner: A bill for an act entitled: "An act to amend section 75-2501, Revised Codes of Montana, 1947, relating to examinations and certificates; and containing a repealing clause." Referred to Committee on Education.

Substitute Senate Bill No. 72, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 3, chapter 267, Laws of 1955, as amended by section 1, chapter 106, Laws of 1959, compiled as section 26-602.3 of the Revised Codes of Montana, 1947, relating to the definition of resident for the purpose of issuing resident fishing and hunting licenses." Referred to Committee on Fish and Game.

THIRD READING OF SENATE BILLS

Senate Bill No. 16, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Harper, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 87.

Noes: Hanks, Hazelbaker, Shelden. Total 3.

Absent or not voting: None.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 81 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz,

Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 88.

Noes: None.

Absent or not voting: Broeder. Total 1.

Excused: Goan, Haines, Hibbard, Thompson, Mr. Speaker. Total 5.

House Bill No. 85 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 90.

Noes: None.

Absent or not voting: None.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

House Bill No. 114 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Burrell, Bush, Coulter, Crum, Edwards, Eskildsen, Etchart, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Mathers, McOmber, Melcher, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Smith, Spahr, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Wayrynen, Weeks, Wright. Total 64.

Noes: Abel, Bentz, Broeder, Cerovski, Conklin, Daniels, Dykstra, Emmons, Falkenstern, Jenkins, Jensen (Mineral), Jensen (Lake), Lombardi, Lucas, Lundgren, Mernin, Moudree, Murray, Raundal, Rygg, Schwinden, Shelden, Spilde, Stimatz, Sullivan (Deer Lodge), Twedt. Total 26.

Absent or not voting: None.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

House Bill No. 115 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 85.

Noes: Aasheim, Eskildsen, Harper, Moudree, Stranahan. Total 5.

Absent or not voting: None.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

House Bill No. 120 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Beam, Bentz, Blewett, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Harper, Healy, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Kolar, Laas, Leuthold, Lombardi, Melcher, Mernin, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Seymour, Shelden, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen, Weeks, Wright. Total 54.

Noes: Adams, Barnard, Bashor, Bradford, Brenner, Broeder, Burrell, Bush, Edwards, Gustafson, Hanks, Haughey, Hazelbaker, Higham, Johnson, Keller, Kvaalen, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Moudree, Nichols, Page, Rosell, Schye, Smith, Spahr, Spilde, Stearns, Stranahan, Swanz. Total 35.

Absent or not voting: Anderson (Yellowstone). Total 1.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

House Bill No. 189 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 89.

Noes: None.

Absent or not voting: Anderson (Yellowstone). Total 1.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

Senate Amendments to House Joint Memorial No. 3 were concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Dykstra, Edwards, Etchart, Falkenstern, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Weeks, Wright. Total 65.

Noes: Aasheim, Abel, Bardanouve, Brenner, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Judge, Laas, Lewis, Lombardi, Melcher, Mernin, Moudree, Picard, Raundal, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 25.

Absent or not voting: None.

Excused: Goan, Hibbard, Thompson, Mr. Speaker. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Joint Memorial No. 2 be passed for the day.

That House Bill No. 196 be amended in section 6 by striking section 6 in its entirety; and as amended, do pass.

That consideration of House Bill No. 195 be passed for the day.

EMMONS, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 67.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Wright that House Bill No. 117 be taken from the Committee on State Administration and referred to the Committee on Education. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 72 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 83.

Noes: None.

Absent or not voting: Bardanouve, Bentz, Dykstra, Etchart, Mathers, Stranahan. Total 6.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker.
Total 5.

House Bill No. 78 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 81.

Noes: Cerovski, Daniels, Lombardi, Picard, Raundal. Total 5.

Absent or not voting: Broeder, Haines, Mathers. Total 3.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker.
Total 5.

House Bill No. 108 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 88.

Noes: None.

Absent or not voting: Broeder. Total 1.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker.
Total 5.

House Bill No. 112 was passed by the following vote:

Ayes: Anderson (Madison), Asbjornson, Bardanouve, Barnard, Beam, Bentz, Brenner, Bush, Coulter, Crum, Dykstra, Eskildsen, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Moudree, Murray, Nichols, Page, Pierce, Reed, Reinecke, Rosell, Rygg, Schye, Shelden, Smith, Spahr, Spilde, Stranahan, Sullivan (Silver Bow), Teigen, Weeks. Total 50.

Noes: Aasheim, Abel, Adams, Anderson (Yellowstone), Baldwin, Bashor, Blewett, Bradford, Broeder, Burrell, Cerovski, Conklin, Daniels, Edwards, Emmons, Etchart, Falkenstern, Gustafson, Hanks, Higham, Hilling, Laas, Lewis, Lombardi, Melcher, Mernin, Nelstead, Picard, Raundal, Regan, Schwinden, Seymour, Stearns, Stimatz, Swanz, Twedt, Wayrynen, Wright. Total 38.

Absent or not voting: Sullivan (Deer Lodge). Total 1.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker.
Total 5.

House Bill No. 119 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 87.

Noes: Bardanouve, Brenner. Total 2.

Absent or not voting: None.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker. Total 5.

House Bill No. 127 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 78.

Noes: Bashor, Daniels, Emmons, Gustafson, Laas, Lombardi, Mernin, Nelstead, Picard, Stimatz, Sullivan (Deer Lodge). Total 11.

Absent or not voting: None.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker. Total 5.

House Bill No. 161 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 89.

Noes: None.

Absent or not voting: None.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker. Total 5.

House Bill No. 190 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spar, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 89.

Noes: None.

Absent or not voting: None.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker. Total 5.

House Bill No. 191 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 86.

Noes: Daniels, Moudree, Schwinden. Total 3.

Absent or not voting: None.

Excused: Goan, Hibbard, Jensen (Mineral), Thompson, Mr. Speaker. Total 5.

House Bill No. 67 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 88.

Noes: Conklin. Total 1.

Absent or not voting: Abel. Total 1.

Excused: Goan, Jensen (Mineral), Thompson, Mr. Speaker. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve

itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 234 do pass.

That House Bill No. 145 do pass.

That Substitute House Bill No. 50 do pass.

That House Bill No. 130 do pass.

That House Bill No. 180 do pass.

That House Bill No. 162 be amended in the title in the last line thereof by striking out the period and quotation marks and adding the following: "AND CONTAINING AN EFFECTIVE DATE." "; and as amended, do pass.

That House Bill No. 235 do pass.

That House Bill No. 244 do pass.

That House Bill No. 165 do pass.

That House Bill No. 316 do pass.

That House Bill No. 155 do pass.

That Substitute House Bill No. 42 do pass.

EMMONS, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until Saturday, January 28, 1961 at 10:00 a.m. Motion carried.

House adjourned.

TOM HAINES, Speaker Pro Tem.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 28, 1961

House convened, pursuant to adjournment, at 10:00 a.m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Mr. Speaker, absent due to illness, Adams, Jensen (Mineral), Melcher and Regan, excused for personal business, and Conklin, excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-sixth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 244, 165, 196 and 130.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 148, 219 and Substitute House Bill No. 175, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 be amended in the title of the original bill in line 22 after the word "dentists" by inserting the following words and punctuation: "; to include a severability clause;"

And as so amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do not pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 be amended as follows:

Amend in Section 1, sub-section 3, page 2, line 7 of the original bill by striking the words and figure "Fifty-five (55)" and inserting in lieu thereof the words and figure "Sixty (60)";

And as amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration House Bill No. 214, respectfully report as follows:
That House Bill No. 214 do pass.

LOMAN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 56 introduced by Hibbard and Gustafson.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 125 introduced by Stein and Brownfield.

Senate Bill No. 170 introduced by the Committee on Agriculture.

Senate Bill No. 85 introduced by Anderson.

Senate Bill No. 83 introduced by Groff, McGowan, Dussault, Cumming, LaCombe, Brenner, Stein and Mackay.

Senate Bill No. 164 introduced by McKenna (Fergus), McDonnell and Goodwin.

Senate Substitute for Senate Bill No. 37 introduced by Committee on Education.

Senate Bill No. 136 introduced by Lehrkind.

Senate Bill No. 104 introduced by Graham, Cotton and Dussault.

Senate Bill No. 66 introduced by McKeon.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial was recommended for non-concurrence by the Committee on Taxation, report adopted, and the same is herewith returned to the House:

House Joint Memorial No. 5 introduced by Murray, Lundgren, Rygg, Jensen (Lake), Broeder, Lord, Seymour and Reed.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Rygg that House Bill No. 309 be taken from the Committee on Bills and rereferred to the Committee on Labor and Compensation. Motion carried.

Motion was made by Anderson (Yellowstone) that House Bill No. 79 be taken from the Committee on Bills and rereferred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 66, introduced by McKeon: A bill for an act entitled: "An act to provide that unreasonable delay in making payment of the full amount of an order, decision or award of the industrial accident board shall result in a ten per cent (10%) increase in compensation due an injured working man; and providing an effective date." Referred to Committee on Labor and Compensation.

Senate Bill No. 104, introduced by Graham, Cotton, Dussault: A bill for an act entitled: "An act relating to the filing of satisfaction and discharges of chattel mortgages, conditional sales contracts, leases or other liens on motor vehicles; providing a penalty for mortgagee's, conditional sales vendor's, lessor's or their assignee's failure to file satisfactions with the Registrar of Motor Vehicles within fifteen (15) days after receiving final payment of their liens; by amending sections 53-110, Revised Codes of Montana, 1947, and containing a repealing clause." Referred to Committee on Highways.

Senate Bill No. 136, introduced by Lehrkind: A bill for an act entitled: "An act to amend chapter 17, of the Session Laws of Montana, of 1959, designated as section 35-414 in the 1959 cumulative pocket supplement of Replacement Volume 3, of the Revised Codes of Montana, of 1947, relating to the termination of operation of housing facilities acquired pursuant to the emergency war and veterans housing facilities act of the State of Montana; extending the date of termination of operation from May 1, 1961, to May 1, 1965; and containing a repealing clause." Referred to Committee on State Administration.

Senate Substitute for Senate Bill No. 37, introduced by Committee on Education: A bill for an act entitled: "An act relating to school safety patrols, their authorization, organization and supervision, in public and private schools and other educational institutions to encourage pupils to cross public highways at regular crossings; providing for appointment of children over ten years of age as members of said patrol unless written objection thereto is given by parents or guardians to school authorities; providing that liability shall not attach to school authorities, schools or institutions, child, parent or guardian because of injuries to any pupil by operation of said safety patrols; providing for the uniformity of identification, operation and signals to be used by school safety patrols throughout the State of Montana by the Montana Highway Patrol Board; providing for an effective date; and containing a repealing clause." Referred to Committee on Education.

Senate Bill No. 164, introduced by McKenna (Fergus), McDonnell, Goodwin: A bill for an act entitled: "An act to amend section 16-3201, Revised Codes of Montana, 1947, relating to the creation of the office of county auditor in counties of the State of Montana of the first, second, third and fourth classes; providing that this act shall not apply to counties with population of less than fifteen thousand according to the last federal Census of 1960; providing that in fifth class counties electing an auditor, his term shall expire at the expiration of his present term; and containing an effective date of this act." Referred to Judiciary Committee.

Senate Bill No. 83, introduced by Groff, McGowan, Dussault, Cumming,

LaCombe, Brenner, Mackay: A bill for an act entitled: "An act approving, ratifying and enacting into law the Columbia interstate compact relating to the waters of the Columbia River and its tributaries and for matters incidental thereto entered into at the City of Spokane, State of Washington, on October 3, 1960, by commissioners representing the states of Montana, Idaho, Oregon, Washington, Nevada, Utah, and Wyoming; making the State of Montana a party thereto; creating the Columbia Interstate Compact Commission; providing for the appointment of the members of such commission from the State of Montana and for fixing their terms of office, and salaries; providing for the giving of notice of ratification of the compact; providing for the carrying out of said compact and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 85, introduced by Anderson: A bill for an act entitled: "An act to amend section 31-135, R. C. M. 1947, relating to issuance of licenses to operators and chauffeurs; deleting obsolete provisions concerning expiration of licenses; providing that paragraph (d) will become paragraph (c); providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Highways.

Senate Bill No. 170, introduced by the Committee on Agriculture: A bill for an act entitled: "An act to amend section 90-132, Revised Codes of Montana, 1947, relating to the weight of commodities to be indicated on containers and the penalty for violation of the act; providing for the deletion of three percentage variation being permissible and leaving the statute to read that a one (1%) per cent variation is permissible providing that the variation is as often above as below the weight, measure or quantity stated." Referred to Committee on Business and Industry.

Senate Bill No. 125, introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 32-404 of Replacement Volume 3, of the Revised Codes of Montana, of 1947, relating to establishing, altering or vacating highways; providing that after the county commissioners and the county surveyor have considered the petition, they shall within ten (10) days notify by certified mail the petitioners and all land owners as disclosed by the last assessment rolls of the county, owning land abutting the road." Referred to Committee on Highways.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 244 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 86.

Noes: None.

Absent or not voting: Crum. Total 1.

Excused: Adams, Conklin, Jensen (Mineral), Melcher, Reed, Regan, Mr. Speaker. Total 7.

House Bill No. 165 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 85.

Noes: Daniels. Total 1.

Absent or not voting: Crum. Total 1.

Excused: Adams, Conklin, Jensen (Mineral), Melcher, Reed, Regan, Mr. Speaker. Total 7.

House Bill No. 130 was passed by the following vote:

Ayes: Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Blewett, Broeder, Bush, Cerovski, Coulter, Dykstra, Falkenstern, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Lord, Lucas, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Reinecke, Rosell, Schye, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks. Total 52.

Noes: Aasheim, Abel, Anderson (Yellowstone), Bashor, Bentz, Bradford, Brenner, Burrell, Daniels, Emmons, Eskildsen, Etchart, Goan, Gustafson, Hanks, Jensen (Lake), Judge, Lewis, Loman, Lombardi, Lundgren, Nelstead, Nichols, Pierce, Raundal, Rygg, Schwinden, Seymour, Spilde, Sullivan (Deer Lodge), Twedt, Wayrynen, Wright. Total 33.

Paired: Edwards, aye; Adams, no.

Absent or not voting: Crum. Total 1.

Excused: Conklin, Jensen (Mineral), Melcher, Reed, Regan, Mr. Speaker. Total 6.

House Bill No. 196 was passed by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Beam, Bentz, Blewett, Bradford, Broeder, Bush, Cerovski, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Mernin, Murray, Nelstead, Page, Picard, Pierce, Rosell, Rygg, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Thompson, Twedt, Wayrynen, Weeks, Wright. Total 65.

Noes: Aasheim, Bardanouve, Brenner, Burrell, Coulter, Gustafson, Haines, Harper, Keller, Lewis, McOmber, Moudree, Nichols, Raundal, Reinecke, Schwinden, Schye, Stearns, Swanz, Teigen. Total 20.

Paired: Adams, aye; Bashor, no.

Absent or not voting: Crum. Total 1.

Excused: Conklin, Jensen (Mineral), Melcher, Reed, Regan, Mr. Speaker. Total 6.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of House Joint Memorial No. 2 be indefinitely postponed.

That House Bill No. 195 be amended in the Title thereof by deleting the following words: "and repealing all acts and parts of acts in conflict herewith," and inserting in lieu thereof the words: "and fixing an effective date.";

Be further amended in Section 3, in line 17 of the printed bill, which is line 25, page 4 of the original bill, by inserting quotation marks after the words "judicial retirement fund"; and by inserting in Section 3, line 26 of the original bill, before the words "This act" the word and figure "section 4.";

And as amended, do pass.

That further consideration of House Bill No. 176 be passed for the day.

That House Bill No. 199 do pass.

That House Bill No. 233 do pass.

That House Bill No. 156 do pass.

That House Bill No. 211 do pass.

That consideration of Substitute House Bill No. 282 be passed for the day.

ESKILDSEN, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Monday, January 30, 1961. Motion carried.

House adjourned.

TOM HAINES, Speaker Pro Tem.

GEORGE T. HOWARD, Chief Clerk.

TWENTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 30, 1961

House convened, pursuant to adjournment, at 10 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 162, 155, 235, 145, 180, 316, 234, 233, 156, 195, 211 and Substitute House Bill No. 50.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Memorial No. 3.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Majority of your Committee on Education, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 be amended as follows:

Amend the Title of the bill on line 4 of page 1 of the original bill by striking the figures "1962" and inserting in lieu thereof the figures "1964";

Amend the bill further on page 3, line 11, sub-section "a." of the original bill by striking the figures "1962" and inserting in lieu thereof the figures "1964";

And as so amended, do not pass.

KVAALLEN
KOLAR
SEYMOUR
RAUNDAL
LUNDGREN
GUSTAFSON

Motion was made by Kvaalen for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Education, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 be amended as follows:

Amend the Title of the bill on line 4 of page 1 of the original bill by striking the figures "1962" and inserting in lieu thereof the figures "1964";

Amend the bill further on page 3, line 11, sub-section "a." of the original bill, by striking the figures "1962" and inserting in lieu thereof the figures "1964"; And as so amended, that House Bill No. 66 be printed and placed on General Orders.

HIGHAM
WRIGHT
ROSELL
BARNARD
AASHEIM

Substitute motion was made by Aasheim for adoption of the Minority committee report. Substitute motion failed to carry. Original motion by Kvaalen carried. Majority report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Joint Memorial No. 14, respectfully report as follows: That House Joint Memorial No. 14 be amended as follows:

In line 26, page 1 of the original bill, following the word "whereas," by striking "Senator Frank Church of Idaho, and others, are" and on line 27, by striking the words "sponsoring legislation in the National Congress" and insert in lieu thereof the words "there is at present legislation in the National Congress sponsored by Senator Church of Idaho, and others,";

And as amended, do pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 be amended as follows:

Amend the title in line 7 of page 1 of the original bill following the word "counties" by deleting the "." and inserting in lieu thereof the following: " ; and containing an effective date.";

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Judiciary, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Memorial No. 8, respectfully report as follows: That House Joint Memorial No. 8 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 do not pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do not pass but that

Substitute House Bill No. 53, introduced by Committee on Judiciary: A bill for an act entitled: "An act providing for the giving of reasonable notice in writing to publisher and reasonable opportunity to correct libelous or defamatory matter as prerequisite to commencement of action on account of any libelous or defamatory publication in any newspaper, magazine, periodical, radio or television station; providing what shall constitute a correction of such libelous or defamatory matter; providing that a correction, published in accordance with the provisions of this act shall constitute a defense against the recovery of any damages except actual damages, provided the publication was made under honest mistake or misapprehension; providing that such correction shall be competent and material in mitigation of actual damages to the extent such correction does so mitigate such damages; repealing all acts or parts of acts in conflict herewith."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 56.

REED, Chairman.

I have examined House Joint Memorial No. 3 introduced by me, and find the same to be correct.

LOMAN

I have examined House Bill No. 56 introduced by me, and find the same to be correct.

HIBBARD

The Speaker signed the following bills in open session, the titles having first been read: House Bill No. 56 and House Joint Memorial No. 3.

MESSAGES FROM THE SENATE

January 28, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 109 introduced by Stranahan, Asbjornson and Aasheim.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 28, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Memorial and Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Joint Memorial No. 3 introduced by Thiessen, Mahoney, Durkee, Cumming, Dussault and Ullom.

Senate Bill No. 185 introduced by McGowan and Goodwin.

Senate Bill No. 127 introduced by Cumming and Dussault.

Senate Bill No. 128 introduced by Dussault and Cumming.

Senate Bill No. 138 introduced by Newman (by request).

Senate Bill No. 155 introduced by Hibbs and Harken.

Senate Bill No. 97 introduced by Cotton, Cumming, Durkee, Rostad, Newman and Siderius.

Senate Bill No. 39 introduced by Beley and Cumming.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that House Bill No. 176 be taken from General Orders and rereferred to the Committee on Agriculture and Irrigation. Motion carried.

Motion was made by Nelstead that questions and answers be limited on debate. Without objection the Speaker referred the motion to the Committee on Rules and Journal.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Joint Memorial No. 3, introduced by Thiessen, Mahoney, Durkee, Cumming, Dussault, Ullom: A Joint Memorial of the Senate and House of Representatives of the State of Montana, to the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold Olsen and James Battin, Congressmen from the State of Montana, endorsing U. S. Senate Bill No. 162 creating a commission on noxious and obscene matters and materials and urging support of said bill by the Montana congressional delegation. Referred to Judiciary Committee.

Senate Bill No. 97, introduced by Cotton, Cumming, Durkee, Rostad, Newman, Siderius: A bill for an act entitled: "An act to amend section 72-668, Revised Codes of Montana, 1947, to provide for the installation of side curtains or similar protective devices upon track motor cars operated by railroads running through or within the state as a common carrier." Referred to Committee on Business and Industry.

Senate Bill No. 155, introduced by Hibbs, Harken: A bill for an act entitled: "An act to amend section 81-1707, Revised Codes of Montana, 1947, relating to rule making power of the State Board of Land Commissioners, requiring formulation, publication and distribution of rules and regulations and containing a repealing clause." Referred to Committee on State Administration.

Senate Bill No. 39, introduced by Beley, Cumming: A bill for an act entitled: "An act to amend section 80-702, Replacement Volume 5, Revised Codes of Montana, 1947, relating to the powers of the Board of State Prison Commissioners, to provide that the board has power to utilize all the non-cultivated lands of the state prison farm for a field training site of the National Guard; to provide for repair of any damage caused by the field training activities; and containing a repealing clause." Referred to Committee on State Administration.

Senate Bill No. 138, introduced by Newman (by request): A bill for an act entitled: "An act to repeal sections 3-1701, 3-1702, 3-1703, 3-1704, 3-1705, 3-1706, 3-1707, 3-1708, 3-1709, 3-1710 and 3-1711 of the Revised Codes of Montana, 1947, pertaining to the regulation of sales of commercial fertilizer." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 128, introduced by Dussault, Cumming: A bill for an act entitled: "An act to amend section 4-403, of the Revised Codes of Montana, 1947, as amended by chapter 164, Laws of the Thirty-first Legislative Assembly, 1949, as further amended by chapter 144, Laws of the Thirty-second Legislative Assembly, 1951, as further amended by chapter 56, Laws of the Thirty-fourth Legislative Assembly, 1955, as further amended by chapter 206, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the powers of the Montana Liquor Control Board in the issuing of retail liquor licenses, the number of such licenses that may be issued and the lapse and cancellation of such licenses for non-user; making the license quota limitations of said section applicable to veterans' and fraternal organizations and deleting the restrictions of said section on the transferability of licenses issued to such organizations after the effective date of this act; empowering said board to restrict the renewability of retail liquor licenses in certain instances; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 127, introduced by Cumming, Dussault: A bill for an act entitled: "An act to amend section 4-333 of the Revised Codes of Montana, 1947, as amended by chapter 165, Laws of the Thirty-first Legislative Assembly, 1949, as further amended by chapter 55, Laws of the Thirty-fourth Legislative Assembly, 1955, and as further amended by chapter 205, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the powers of the Montana Liquor Control Board in the issuing of retail beer licenses, the number of such licenses that may be issued and the lapse and cancellation of such licenses for non-user; making the license quota limitations of said section applicable to veterans' and fraternal organizations and deleting the restrictions of said section on the transferability of licenses issued to such organizations after the effective date of this act; empowering said board to restrict the renewability of retail beer licenses in certain instances; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 185, introduced by McGowan, Goodwin: A bill for an act entitled: "An act to provide for the distribution of fines collected by district courts for the unlawful operation of motor vehicles by children under the age of eighteen (18) years; providing for time of such distribution; repealing all acts or parts of acts in conflict herewith." Referred to Judiciary Committee.

Substitute House Bill No. 53, introduced by Committee on Judiciary: A bill for an act entitled: "An act providing for the giving of reasonable notice in writing to publisher and reasonable opportunity to correct libelous or defamatory matter as prerequisite to commencement of action on account of any libelous or defamatory publication in any newspaper, magazine, periodical, radio or television station; providing what shall constitute a correction of such libelous or defamatory matter; providing that a correction, published in accordance with the provisions of this act shall constitute a defense against the recovery of any damages except actual damages, provided the publication was made under honest mistake or misap-

prehension; providing that such correction shall be competent and material in mitigation of actual damages to the extent such correction does so mitigate such damages; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 162 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Hibbard. Total 1.

Excused: None.

House Bill No. 155 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Hibbard, Weeks. Total 2.

Excused: None.

House Bill No. 235 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Ruandal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith,

Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 145 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Ruandal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 180 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Ruandal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: Jensen (Lake). Total 1.

Absent or not voting: None.

Excused: None.

House Bill No. 316 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Ruandal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith,

Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 234 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: Aasheim. Total 1.

Absent or not voting: None.

Excused: None.

House Bill No. 233 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Ruandal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 156 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith,

Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: Edwards. Total 1.

Absent or not voting: None.

Excused: None.

House Bill No. 195 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Beam, Bentz, Blewett, Bradford, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Thompson, Wayrynen, Weeks, Wright, Mr. Speaker, Total 72.

Noes: Aasheim, Abel, Bardanouve, Bashor, Brenner, Broeder, Gustafson, Haines, Harper, Keller, Lewis, Lord, McOmber, Moudree, Raundal, Reinecke, Schwinden, Stearns, Stranahan, Swanz, Teigen, Twedt. Total 22.

Absent or not voting: None.

Excused: None.

House Bill No. 211 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: Harper, Schwinden. Total 2.

Absent or not voting: None.

Excused: None.

Substitute House Bill No. 50 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sulli-

van (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

Substitute House Bill No. 42 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Broeder, Bush, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Healy, Higham, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Schwinden, Seymour, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks. Total 67.

Noes: Anderson (Yellowstone), Beam, Bentz, Burrell, Cerovski, Crum, Goan, Gustafson, Haughey, Hazelbaker, Hibbard, Hilling, Jensen (Lake), Kvaalen, Lord, Nichols, Reinecke, Rosell, Rygg, Schye, Smith, Spilde, Stearns, Sullivan (Silver Bow), Thompson, Wright, Mr. Speaker. Total 27.

Absent or not voting: None.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that business under General Orders be passed for this sitting. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Harper that Senate Bill No. 97 be taken from the Committee on Business and Industry and referred to the Committee on Public Health, Welfare and Safety. Motion failed to carry.

Daniels requested a roll call vote on the above motion by Harper, and asked for sufficient seconds. There being objection to this procedure, the Speaker referred the question to the Committee on Rules and Journal.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 152 and 291, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 439, respectfully report as follows: That House Bill No. 439 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass, but that

Substitute House Bill No. 205, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization for refunds on overpayment of inheritance tax, refunds of corporation license tax and for refunds of cigarette tax; for the prosecution of a lawsuit; for amounts due on oil and gas penalties; and for employers contribution to the public employees retirement system; and providing for an effective date."

Do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 438, respectfully report as follows: That House Bill No. 438 be amended as follows:

Amend the title in line 6 of page 1 of the original bill following the number "1947" by deleting the period and quote and inserting in lieu thereof the following: " ; and providing for an effective date."

And as so amended, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 be amended as follows:

Amend the title in line 12 of page 1 of the original bill following the number "1961" by deleting the period and quote and inserting in lieu thereof the following: " ; and providing for an effective date."

And as so amended, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do not pass, but that

Substitute House Bill No. 41, introduced by Committee on Judiciary: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests for the purpose of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the

purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that law enforcement officers must furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repealing all acts or parts of acts in conflict herewith."

Do pass.

HAUGHEY, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

Substitute House Bill No. 205, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization for refunds on overpayment of inheritance tax, refunds of corporation license tax and for refunds of cigarette tax; for the prosecution of a lawsuit; for amounts due on oil and gas penalties; and for employers contribution to the public employees retirement system; and providing for an effective date." Referred to the Committee on Bills.

House Bill No. 444, introduced by Committee on Appropriations: A bill for an act entitled: "An act to transfer moneys from one account to another within the present appropriations of the Board of Railroad Commissioners, the Department of Agriculture, State Tuberculosis Sanatorium, State Treasurer, State Hospital, Attorney General, Supreme Court, Department of State Lands and Investments and the Secretary of State and to appropriate money from the general fund for the purpose of paying certain expenses for the Secretary of State, the state PBX division, district judges, county attorneys, the State Board of Examiners and the State Forester for the current biennium ending June 30, 1961; and providing an effective date." Referred to Committee on Appropriations.

Substitute House Bill No. 41, introduced by the Judiciary Committee: A bill for an act entitled: "An act to provide that any person who operates a motor vehicle in this state shall be deemed to have given consent to a chemical test or tests for the purpose of determining the alcoholic content of his blood; specifying those persons who are qualified to withdraw blood for the purpose of determining the alcoholic content when requested by a law enforcement officer; providing that the person tested may have a qualified person administer a chemical test in addition to the one administered by the direction of the law enforcement officer; providing that the test results shall be made available to the person so tested upon his request; providing that the consent of a person incapacitated of refusing is not withdrawn; authorizing the Montana Highway Patrol Board to revoke the license of persons refusing to submit to a chemical test; providing that law enforcement officers must furnish board with affidavit of refusal; providing the person whose privilege to drive has been revoked with a hearing before the district court; providing interpretation of chemical tests; providing that proof of refusal shall be admissible in any criminal action; providing that this action shall not limit the introduction of other competent evidence; providing for short title; providing for constitutionality; repeal-

ing all acts or parts of acts in conflict herewith." Referred to the Committee on Bills.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Raundal of Petroleum in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 282 do pass.

That consideration of House Bill No. 148 be passed for the day.

That House Bill No. 219 do pass.

That Substitute House Bill No. 175 do pass.

RAUNDAL, Chairman.

Report adopted.

January 30, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 56 and House Joint Memorial No. 3, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 2:30 o'clock, p. m., delivered to the Governor for his approval.

REED, Chairman.

January 28, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Memorial No. 6, do hereby report that said memorial, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 10:37 o'clock, a. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Tuesday, January 31, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 31, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having ex-

amined the Journal for the Twenty-ninth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 268, 304, 319, 357, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

January 30, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 116 and 254, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do not pass, but that

Substitute House Bill No. 124, A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, borrow pits, slopes, road shoulders or other types of construction; and providing a repealing clause."

Do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 be amended as follows:

Amend on Line 32, page 10 of the original bill by adding the following words after the word "or": "who shall make application for such refund without first having paid the tax for which such application for refunds is made, or"; and as amended,

Do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 be amended as follows:

On Page 1, in the title, at line 16 of the original bill, by deleting therefrom all material in such line appearing after the word "shall" and by substituting in lieu thereof the following: "create a disputable presumption as to the public necessity of highways"

On Page 2, at line 21, by adding, after the words "authorized herein" the following: "provided that the same shall not be acquired for such a purpose by condemnation procedures."

On Page 2, at line 32, by deleting the comma and substituting a period (.) and by deleting all material therein appearing after, and including, the word "or"

On Page 3, at line 1, by deleting the entire of said Line 1.

On Page 3, at line 4, by deleting therefrom the words "scenic beauty and"

On Page 4, at line 9, by deleting the entire of said line and by substituting in lieu thereof, the following "Such resolution of the commission shall create and establish a disputable presumption"

And as amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 do not pass, but that

Substitute House Bill No. 82, A bill for an act entitled: "An act to amend section 44-127, R. C. M. 1947, relating to creation of the state library extension commission; to amend section 44-128, R. C. M. 1947, relating to employment by the state library extension commission of its employees; and to amend section 44-129, R. C. M. 1947, relating to powers and duties of the commission."

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 109.

REED, Chairman.

I have examined House Bill No. 109 introduced by me and find the same to be correct.

STRANAHAN

The Speaker signed House Bill No. 109 in open session, the title having first been read.

MESSAGES FROM THE SENATE

January 30, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 22 introduced by Cashmore, Rieder, Durkee and Schoonover.

Senate Bill No. 190 introduced by McKenna (Fergus), and Durkee.

Senate Bill No. 201 introduced by O'Neill.

Senate Bill No. 142 introduced by Groff, Durkee and Cumming.

Senate Bill No. 167 introduced by Dussault (by request).

Senate Bill No. 119 introduced by Mahoney, Thiessen, Durkee, Cumming, Dussault and Ullom.

Senate Bill No. 151 introduced by McGowan, Carney and Shaw.

Senate Bill No. 174 introduced by Committee on Agriculture.

Senate Bill No. 171 introduced by Committee on Agriculture.

Senate Bill No. 172 introduced by Committee on Agriculture.

Senate Bill No. 173 introduced by Committee on Agriculture.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that House Bill No. 254 be taken from the Committee on Bills and rereferred to the Judiciary Committee. Motion carried.

Motion was made by Eskildsen that the House reconsider its previous action in adopting an adverse Majority committee report on House Bill No. 66. After debate, Aasheim moved the previous question. Motion carried. Aasheim requested a roll call vote on the motion by Eskildsen, the results thereof to be spread on the Journal. There being a sufficient number of seconds, a roll call vote followed, to-wit:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Emmons, Eskildsen, Etchart, Hall, Hanks, Harper, Healy, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Nichols, Picard, Rosell, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Twedt, Wayrynen, Wright. Total 46.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Haughey, Hazelbaker, Hibbard, Jenkins, Jensen (Lake), Kolar, Kvaalen, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks, Mr. Speaker. Total 48.

Absent or not voting: None.

Excused: None.

Motion failed to carry.

Motion was made by Daniels that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 3. Daniels requested a roll call vote, the results thereof to be recorded in the Journal. A sufficient number of seconds arose, and roll call vote was taken as follows:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Gustafson, Hanks, Harper, Healy, Jensen (Mineral), Judge, Kvaalen, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Regan, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 41.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Burrell, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Haughey, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Thompson, Wright, Mr. Speaker. Total 49.

Absent or not voting: Broeder, Hall, Hibbard, Weeks. Total 4.

Excused: None.

Motion failed to carry.

Motion was made by Pierce that House Bill No. 148 be taken from General Orders and re-referred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committee:

House Joint Memorial No. 17, introduced by Melcher, Harper, Moudree, Reinecke, Swanz, Weeks, Lucas: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Senator Mike Mansfield of Montana; Senator Lee Metcalf of Montana; Congressman Arnold Olsen of Montana; Congressman James Battin of Montana; the Committee on Interstate and Foreign Commerce of the United States Senate; the Committee on Interstate and Foreign Commerce of the United States House of representatives; the Interstate Commerce Commission; opposing the merger of the Northern Pacific, the Great

Northern, the Burlington and the Spokane, Portland and Seattle railroads. Referred to the Committee on Rules and Journal.

Senate Bill No. 22, introduced by Cashmore, Rieder, Durkee and Schoonover: A bill for an act entitled: "An act consenting to the acquisition by the United States of land, water, or land and water, within the State of Montana for migratory bird reservations authorized by the act of Congress of February 18, 1929, (as amended), and containing a repealing clause." Referred to Committee on Fish and Game.

Senate Bill No. 119, introduced by Mahoney, Thiessen, Durkee, Cumming, Dussault and Ullom: A bill for an act entitled: "An act relating to the preparation and distribution of obscene literature; making the following offenses punishable by a fine not exceeding one thousand dollars (\$1000.00) or imprisonment not exceeding one (1) year, or both; the distribution of obscene material to a person under the age of twenty-one (21), the preparation of obscene material for distribution to a person under the age of twenty-one (21), the employment of a person under the age of twenty-one (21) for the purpose of preparing or distributing obscene material, permitting a person under the age of twenty-one (21) in one's custody to prepare or distribute obscene material, requiring as a condition of sale that the purchaser of a publication accept obscene material; amending section 94-3603, Revised Codes of Montana, 1947, to delete reference to obscene material and repealing section 94-3601, 94-3602, 94-3604, 94-3605 and 94-3606, Revised Codes of Montana, 1947, relating to obscene material." Referred to Judiciary Committee.

Senate Bill No. 142, introduced by Groff, Durkee and Cumming: A bill for an act entitled: "An act to provide for license to possess, propagate and control live game birds and game animals; providing for regulations under which game farms shall be operated; providing penalties for violation of act; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Fish and Game.

Senate Bill No. 151, introduced by McGowan, Carney and Shaw: A bill for an act entitled: "An act to amend sections 76-101, 76-103 and 76-105, Revised Codes of Montana, 1947, to provide for changing the name of the soil conservation districts to soil and water conservation districts." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 167, introduced by Dussault (by request): A bill for an act entitled: "An act amending section 93-901 Revised Codes, 1947, relating to the disqualification of judicial officers; and containing a repealing clause." Referred to Judiciary Committee.

Senate Bill No. 171, introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 3-202, Revised Codes of Montana, 1947, relating to fees to be paid state sealer of weights and measures for inspection of scales; providing for an inspection fee of eight dollars (\$8.00) for automatic or hopper shipping scales up to and including ten (10) ton capacity; providing for raising the fee for inspection of scales with a capacity of up to and including ten (10) tons from eight dollars (\$8.00) to ten dollars (\$10.00); providing for an effective date and repealing clause." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 172, introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 60-202, Revised Codes of Montana, 1947, as amended by section 3, chapter 131, Session Laws of Montana, of 1955, and as amended by section 2, chapter 96, Session Laws of Montana of 1957, relating to license fees required of retail dealers using measuring devices for gasoline, diesel or fuel oil, and tank meters and bulk petroleum; and vehicle tanks used for distribution of petroleum products without meters; providing for the extension of the act to require a license fee of retail dealers using liquified petroleum meters on vehicle tanks; containing a repealing clause." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 173, introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 60-201, Revised Codes of Montana, 1947, as amended by section 2, chapter 131, Session Laws of Montana, 1955, and as amended by section 1, chapter 96, Session Laws of Montana, 1957; relating to petroleum products dealer's license; by requiring licenses of all persons engaged in the business of selling or offering, or advertising for sale, or in the business of refining or manufacturing or keeping for sale, petroleum products regardless of the intended use of the products; providing an effective date and repealing clause." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 174, introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 90-129, Revised Codes of Montana, 1947, as amended by section 1, of chapter 78, of the Session Laws of Montana, of 1959, relating to the authority of the state sealer of weights and measures to inspect and try devices used to weigh or measure and providing the penalty for violation of the act; by providing that the use of any device for weighing or measuring without the seal of the state sealer is a misdemeanor; providing that the device may be operated for a period not to exceed sixty (60) days where a temporary permit has been issued to the operator of the device by the state sealer of weights and measures; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 190, introduced by McKenna (Fergus), and Durkee: A bill for an act entitled: "An act relating to salaries of county officers; amending section 25-609, R. C. M. 1947, to provide that salaries fixed in an election year for elected officers shall apply during the entire term for which the officers are elected, including persons who fill vacancies that may occur in such offices; containing a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 201, introduced by O'Neill: A bill for an act entitled: "An act to provide that state institutions, county buildings and public school buildings which use coal for heating shall use Montana native bituminous or lignite coal; providing exception in certain instances." Referred to Committee on State Administration.

Substitute House Bill No. 82, introduced by the Committee on State Administration: A bill for an act entitled: "An act to amend section 44-127, R. C. M. 1947, relating to creation of the state library extension commission; to amend section 44-128, R. C. M. 1947, relating to employment by the state library extension commission of its employees; and to amend section 44-129, R. C. M. 1947, relating to powers and duties of the commission." Referred to Committee on Bills.

Substitute House Bill No. 124, introduced by the Committee on Highways: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, borrow pits, slones, road shoulders or other types of construction; and providing a repealing clause." Referred to Committee on Bills.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Pierce of Yellowstone in the chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 15 be concurred in.

That House Bill No. 59 be amended in the Title, in line 5 of the printed bill, which is line 7 of the original bill, by inserting between the words "daylight" and "speed" the following words: "and nighttime";

Be amended further in section 1 in line 9, page 2 of the original bill, by changing the words and figures "Seventy (70)" to read "Seventy-five (75)" and as amended, do pass.

PIERCE, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 199, 219, and Substitute House Bill No. 282.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 61 and House Joint Memorial 13, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do pass.

KOLAR, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 31, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 86 introduced by Blewett, Anderson (Yellowstone), Bradford, Conklin, Murray, Cerovski, Stimatz, Haughey and Daniels.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

January 31, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 88 introduced by Carney, Shaw, Thiessen and Cotton.

Senate Bill No. 124 introduced by Nixon.

Senate Bill No. 52 introduced by Sagunsky, Harken, McDonnell, Grieve, Dussault, Cole and Keller.

Senate Bill No. 195 introduced by McKenna (Fergus), and Siderius.

Senate Bill No. 186 introduced by Hibbs and Mahoney.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 52, introduced by Sagunsky, Harken, McDonnell, Grieve, Dussault, Cole and Keller: A bill for an act entitled: "An act to amend section 10. (a) of chapter two hundred eighty-three of the Session Laws of Montana, 1959, designated as section 47-210, Volume 3, 1959, cumulative pocket supplement of the Revised Codes of Montana, 1947, fixing the rates of charges on loans of money for one year in designated amounts under the Montana Consumer Loan Act; providing for charges not in excess of eighteen dollars (\$18) per year per one hundred dollars (\$100) on loans not exceeding three hundred dollars (\$300); fourteen dollars (\$14) per year per one hundred dollars (\$100) on that part of loans exceeding three hundred dollars (\$300) but not exceeding five hundred dollars (\$500); and ten dollars (\$10) per year per one hundred dollars (\$100) on that part of loans in excess of five hundred dollars (\$500) but not exceeding one thousand dollars (\$1,000); providing for refund of charges where the loan is paid prior to maturity; providing for charges of five per cent (5%) on past due amounts; and containing a repealing clause." Referred to Committee on Business and Industry.

Senate Bill No. 88, introduced by Carney, Shaw, Thiessen and Cotton: A bill for an act entitled: "An act to amend section 75-1903, Revised Codes of Montana, 1947, relating to the school census; providing for making the census; defining the term 'residing' for census purposes; providing for reporting the census; providing for liability for failure to comply with this act; and containing a repealing clause." Referred to Committee on Education.

Senate Bill No. 124, introduced by Nixon: A bill for an act entitled: "An act to amend section 91-4401 and 91-4414 of the Revised Codes of Montana, 1947, relating to inheritance taxes on transfer of property, making exempt from such inheritance taxes any transfers to or for the use of corporations or voluntary associations created or organized solely for religious, charitable or educational purposes, regardless of the state of organization or creation, and providing that the property so transferred is used exclusively for the purposes of such organizations within the state of Montana; providing for the repeal of all acts or parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Ways and Means.

Senate Bill No. 186, introduced by Hibbs and Mahoney: A bill for an act entitled: "An act to authorize the Public Service Commission of Montana to regulate and supervise the issuance of securities by public utilities furnishing electric or gas service in Montana; to specify the purposes for which such securities may be issued; to provide for notice of and hearing upon applications for the issuance of such securities; to specify the grounds upon which such applications may be denied; providing for the prompt disposition of such applications; specifying what securities may be issued without order of the commission; providing that securities issued after the effective date of this act without approval of the commission shall be void; providing that nothing in this act shall be construed to imply any guarantee or obligation on the part of the State of Montana in respect of any such securities and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

Senate Bill No. 195, introduced by McKenna (Fergus) and Siderius: A bill for an act entitled: 'An act to provide for the registration of sex offenders; the persons required to register and the procedure for registration; providing for notice of change of address and forwarding of information; providing that no one shall have access to such information except duly constituted law enforcement officers; providing for a penalty; providing that all acts and parts of acts in conflict herewith are hereby repealed.' Referred to Judiciary Committee.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 199 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Bradford, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Hall, Hanks, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Sheldon, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Weeks, Mr. Speaker. Total 68.

Noes: Bardanouve, Bashor, Brenner, Broeder, Daniels, Emmons, Eskildsen, Harper, Haughey, Kolar, Kvaalen, Laas, Lord, Mernin, Moudree, Schwinden, Smith, Teigen, Wayrynen. Total 19.

Absent or not voting: Aasheim, Barnard, Etchart, Haines, Hazelbaker, Raundal, Wright. Total 7.

Excused: None.

House Bill No. 219 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Barnard, Etchart, Haines, Hazelbaker. Total 4.

Excused: None.

Substitute House Bill No. 282 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard,

Higham, Hilling, Jenkins, Jensen, (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Barnard, Hazelbaker. Total 2.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Pierce of Yellowstone in the chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 152 be amended in the title by striking out in line 21 of the original bill, being the last line on page 1 of the printed bill, after the words "board members and", the word "appealing" and inserting in lieu thereof the word "repealing"; and as amended, do pass.

That House Bill No. 291 be amended in Section 1, in line 3 of the printed bill, line 15, page 1 of the original bill, after the quotation marks and before the word "All" by inserting therein the following: "92-714. (2925) Payments made now.";

Further amend in Section 2, line 4 of the printed bill, which is line 21 of the original bill, after the quotation marks and before the word "The", by inserting therein the following: "92-715 (2926) Monthly payments converted into a lump sum."; and as amended, do pass.

PIERCE, Chairman.

Report adopted.

Anderson (Yellowstone) moved that the House adjourn until 10:00 a. m., Wednesday, February 1, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 1, 1961

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill Nos. 175, 59, 291, 152.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 142, 201, 214, 252, 255, 298, 247, 253, 273, 177, and House Joint Resolutions Nos. 5 and 10, and House Joint Memorials Nos. 8 and 12, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 be reported out of committee without recommendation.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 be amended as follows:

Amend the title in line 6, line 7 and line 8 of page 1 of the original bill following the word "cancellation" by deleting the following words: "providing exception for persons whose driving privilege is revoked for first offense of driving while under the influence of intoxicating liquor;"

Further amend in line 26 and line 27 of page 1 of the original bill by deleting the following words: "of at least one (1) year after date of revocation except as hereinafter provided in section 31-149, as amended." and inserting in lieu thereof the following words: "of the period of such revocation or suspension." And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass.

PAGE, Chairman.

Motion was made by Page for adoption of the committee report.

Substitute motion was made by Schwinden that House Bill No. 286 be printed and placed on General Orders. Roll call vote was requested, a sufficient number of seconds arose, and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bardanouve, Barnard, Bashor, Bradford, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Mernin, Moudree, Murray, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen, Total 33.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 60.

Absent or not voting: Abel. Total 1.

Excused: None.

Motion by Page carried; committee report adopted.

Mr. Speaker: We, your Committee on Way and Means, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under

consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 be amended as follows:

Amend in subsection 4, page 2 in lines 7, 8, 9 and 10 by deleting after the word "county" the following words: "(matter deleted) no later than November 1st of each year and no salary for services rendered after November 1st of each year and no salary for services rendered after November 1st shall be paid any teacher who fails to register such certificate." and inserting in lieu thereof the following: "within (matter deleted) 60 days after the term of service of any teacher begins, and no salary for services rendered after this grace period has expired shall be paid any teacher who fails to register such certificate." and as amended, do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 be amended as follows:

Amend line 4 of the title of the original bill following the word "shipment" by striking the comma (,) and inserting a semi-colon (;) in lieu thereof;

Amend the title further in line 7 following the word "sample" by striking the period (.) and inserting in lieu thereof a semi-colon (;) and add: "and repealing all acts and parts of acts in conflict herewith.";

Further amend the original bill, line 11, page 2, following the word "producers" by striking the hyphen (-) and inserting a comma (,) in lieu thereof;

Further amend line 11, following the word "consumer" by striking the word "or" and inserting the word "and";

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Constitution, Elections and Federal Relations, having had under consideration House

Bill No. 8, respectfully report as follows: That House Bill No. 8 do not pass.

NICHOLS
THOMPSON
RYGG
ETCHART
LAAS
HAINES

Motion was made by Haines for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 do pass.

CONKLIN
PICARD

Substitute motion was made by Conklin for adoption of the Minority Committee report. Anderson (Yellowstone) requested a roll call vote on the substitute motion. There being a sufficient number of seconds, a roll call vote followed, to wit:

Ayes: Bardanouve, Brenner, Conklin, Coulter, Daniels, Emmons, Jensen (Mineral), Lewis, Lombardi, Mernin, Picard, Schwinden, Shelden, Stranahan, Twedt. Total 15.

Noes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cеровski, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks, Wright, Mr. Speaker. Total 73.

Absent or not voting: Abel, Barnard, Goan, McOmber, Moudree, Wayrynen. Total 6.

Excused: None.

Substitute motion failed to carry. Motion by Haines carried; majority report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do not pass.

KOLAR, Chairman.

Motion was made by Kolar for adoption of the committee report.

Substitute motion was made by Stimatz that House Bill No. 261 be printed and placed on General Orders. Substitute motion failed to carry. Committee report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 do not pass, but that

Substitute House Joint Memorial No. 9, a Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the President of the United States and the Congress of the United States and to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold H. Olsen and the Honor-

able James Battin, Congressmen from the State of Montana, relating to the retention of the Connally Reservation and that no law shall be passed that will affect the right of self-determination by the United States.

Do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do not pass, but that

Substitute House Bill No. 267, introduced by Committee on Business and Industry: A bill for an act entitled: "An act to amend sections 60-205, 60-206, 60-207, 60-208, 60-209, 60-213, Revised Codes of Montana, 1947, relating to the standards of petroleum products sold, offered for sale, or exposed for sale in Montana; providing new standards of grade, quality and strength of petroleum products sold, offered for sale, or exposed for sale in Montana; changing provisions for sale of summer and winter grade gasoline; providing for the labeling of non conforming products; and containing a repealing clause."

Do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 be amended as follows:

Amend Section 1, page 1, line 25 of the Original Bill, after the word "exploration." by deleting the following words "Upon completion of exploration, the person, firm or corporation shall properly plug all 'shot holes' and shall restore the surface around the same to substantially its original condition. Items of damage referred to herein include, but are not limited to, proper plugging of 'shot holes' and restoration of surface." and in lieu thereof insert the words "Unless otherwise agreed as between the owner of the surface and such person, firm or corporation, it shall be the obligation of such person, firm, or corporation upon completion of exploration to plug all 'shot holes' and restore the surface around the same as near as practicable to its original condition."

And as amended, do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Judiciary, hav-

ing had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do pass.

CONKLIN
LORD
MURRAY
BLEWETT
JENSEN (Lake)
LUCAS
KELLER
DYKSTRA
BENTZ
HAUGHEY

Motion was made by Haughey for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do not pass.

BRADFORD
CEROVSKI
JENSEN (Mineral)
STIMATZ

Bradford moved for adoption of the Minority committee report and requested a roll call vote and that there be a Call of the House. Fifteen seconds arose and the Speaker ordered a Call of the House. After roll call, progress was reported and Emmons moved the Call of the House be dispensed with. Motion carried. After debate on the motion to adopt the Minority committee report, McOmber moved for the previous question. Motion carried, and a roll call vote was taken as follows:

Ayes: Aasheim, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cеровski, Coulter, Daniels, Emmons, Eskildsen, Etchart, Hanks, Harper, Jensen (Mineral), Judge, Kolar, Laas, Lewis, Lombardi, McOmber, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wright, Mr. Speaker. Total 35.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks. Total 58.

Absent or not voting: Abel. Total 1.

Excused: None.

Substitute motion by Bradford failed to carry. Majority committee report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 438, 271, 236 and 272, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass, but that

Substitute House Bill No. 274, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and domestic savings and loan associations of the amount of dividends paid in cash or credited to the accounts of members within the year, and the amount of interest paid within the year on indebtedness incurred in the operation of the business from which its income is derived and the net addition required by law to be made within the year to reserve funds; providing a savings clause; providing an effective date; and repealing all acts and parts of acts in conflict herewith."

Do pass.

PAGE, Chairman.

Motion was made by Page for adoption of the committee report.

Substitute motion was made by Gustafson that further action on House Bill No. 274 be postponed. Motion failed to carry.

Committee report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 be amended as follows:

In line 21 of section 1 of page 1 of the original bill following the word "suspend" by inserting the words "or revoke";

In line 27 of paragraph (b) of page 1 of the original bill following the word "been" by inserting the words "suspended or";

In line 30 of paragraph (b) of page 1 of the original bill following the word "that" by deleting the following words "after the expiration of one (1) year from the date of such revocation" and inserting in lieu thereof the following words "(Matter Deleted) after the expiration of the period of such revocation or suspension"

In line 6 of page 2 of the original bill following the word "collateral" by inserting the words "not vacated"

In line 10 of page 2 of the original bill following the word "collateral" by inserting the words "not vacated"

In line 12 of page 2 of the original bill following the word "of" and preceding the word "sixty" by inserting the words "not less than"

In line 12 of page 2 of the original bill following the word "days" by deleting the "," and inserting in lieu thereof the following: "nor more than one (1) year on first conviction or forfeiture of bail or collateral not vacated"

In line 13 of page 2 of the original bill following the word "collateral" by inserting the following words "not vacated" and as amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 15.

I have examined House Bill No. 15 introduced by me and find the same to be correct.

KELLER

The Speaker signed House Bill No. 15 in open session, the title having first been read.

MESSAGES FROM THE SENATE

January 31, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same is herewith returned to the house:

House Bill No. 60 introduced by Leuthold and Thompson.

Respectfully,
ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Conklin that House Bill No. 121 be printed and placed on General Orders. Motion carried.

Motion was made by Seymour that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 159. Motion carried.

Motion was made by Seymour that House Bill No. 159 be printed and placed on General Orders. Motion carried.

Nichols moved that House Bill No. 437 be taken from the Committee on Bills and rereferred to the Appropriations Committee. Motion carried.

Kvaalen moved that House Bill No. 373 be taken from the Committee on Education and referred to the Committee on Appropriations. Motion carried.

Kvaalen moved that House Bill No. 374 be taken from the Committee on Education and referred to the Committee on Appropriations. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 18, introduced by Nelstead, Burrell, Wayrynen, Bentz, Stranahan, Abel: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Congress of the United States, to the Honorable Mike Mansfield, and the Honorable Lee Metcalf, Senators from the State of Montana, the Honorable Arnold Olsen and the Honorable James F. Battin, Representatives in Congress from the State of Montana, and to the Committee on Military Affairs, Washington, D. C., urging that the Congress of the United States enact legislation granting pensions to World War I veterans as heretofore done for the Spanish-American veterans and veterans of other prior wars of the United States. Referred to Committee on Rules and Journal.

Substitute House Joint Memorial No. 9, introduced by Committee on Constitution, Elections and Federal Relations: A Joint Memorial of the House of Representatives and the Senate of the State of Montana, to the President of the United States and the Congress of the United States and to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, and the Honorable Arnold H. Olsen and the Honorable James Battin, Congressmen from the State of Montana, relating to the retention of the Connally Reservation and that no law shall be passed that will affect the right of self-determination by the United States. Referred to Committee on Bills.

Substitute House Bill No. 267, introduced by Committee on Business and Industry: A bill for an act entitled: "An act to amend sections 60-205, 60-206, 60-207, 60-208, 60-209, 60-213, Revised Codes of Montana, 1947, relating to the standards of petroleum products sold, offered for sale, or exposed for sale in Montana; providing new standards of grade, quality and strength of petroleum products sold, offered for sale, or exposed for sale in Montana; changing provisions for sale of summer and winter grade gasoline; providing for the labeling of non conforming products; and containing a repealing clause." Referred to Committee on Bills.

Substitute House Bill No. 274, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, as amended by chapter 263, Laws of Montana, 1959, relating to deductions allowed in computing corporation license tax net income; to provide for deduction by domestic building and loan associations and domestic savings and loan associations of the amount of dividends paid in cash or credited to the accounts of members within the year, and the amount of interest paid within the year of indebtedness incurred in the operation of the business from which its income is derived and the net addition required by law to be made within the year to reserve funds; providing a savings clause; providing an effective date; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

• THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 175 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lund-

gren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker, Total 89.

Noes: None.

Absent or not voting: Adams, Edwards, Hanks, Jensen (Mineral). Total 4.

Excused: Reed. Total 1.

House Bill No. 59 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Barnard, Bashor, Beam, Blewett, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, McOmber, Melcher, Mernin, Murray, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 73.

Noes: Aasheim, Anderson (Madison), Bardanouve, Bentz, Bradford, Brenner, Cerovski, Conklin, Daniels, Goan, Healy, Kvaalen, Mathers, Moudree, Nelstead, Stranahan, Sullivan (Silver Bow), Mr. Speaker. Total 18.

Absent or not voting: Jensen (Mineral), Lundgren. Total 2.

Excused: Reed. Total 1.

House Bill No. 291 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Lundgren. Total 1.

Excused: Reed. Total 1.

House Bill No. 152 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral),

Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Lord, Stearns. Total 2.

Excused: Reed. Total 1.

The Speaker signed Senate Bill No. 16 in open session, the title having first been read.

CONSIDERATION OF GENERAL ORDERS

Anderson (Yellowstone) moved that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Kvaalen of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 116 be passed for the day.

That House Bill No. 268 do pass.

That House Bill No. 304 do pass.

That House Bill No. 319 do pass.

That House Bill No. 357 do pass.

That House Joint Memorial No. 13 be amended in the last line of the Title after the words "National Park" and before the words "In This Area" by inserting the words: "Or Wilderness Area"

And as amended, do pass.

That Substitute House Bill No. 61 do pass.

KVAALEN, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Thursday, February 2, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 2, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 383 and Substitute House Bills Nos. 41 and 124, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 140, 172, 188, 237, 238, 239, 413, 439 and House Joint Memorial No. 14, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 do not pass, but that

Substitute House Bill No. 221, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as amended by chapter 177, Laws of 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing for a salary increase; repealing all acts and parts of acts in conflict herewith; and containing an effective date."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do not pass, but that

Substitute House Bill No. 216, introduced by Committee on Business and Industry: A bill for an act entitled: "An act to amend section 60-145, Revised Codes of Montana, 1947, as amended, relating to the oil and gas conservation commission, privilege and license tax, quarterly statements, penalties—drilling permit fees—oil and gas conservation fund; providing for an assessment on all crude petroleum and natural gas produced, saved and marketed or stored within the State of Montana, or exported from the State of Montana, for the purpose of providing funds for defraying the expenses of operation of the oil and gas conservation act and the expenses of the oil and gas conservation commission; providing that the oil and gas conservation commission shall fix the amount of such assessments in the first instance, and may, from time to time, reduce or increase the amount of said assessments as the expenses against the oil and gas conservation fund may require, and providing limitations upon the amount of said assessments; providing that the same factor shall be used in fixing the amount of assessments; providing that payment of such assessments shall be made by the producers of said crude petroleum and natural gas and providing for the correction of the reference to the section of the Revised Codes of Montana, 1947, as amended, which provides for the reimbursement to said producers for such payments made on crude petroleum and natural gas produced for others; defining the word "lease" used therein; declaring leases owned or operated by one lessee which are affected by one particular unit agreement shall be considered as one lease relative to payments to be made under this section; providing that the commission may appoint a secretary and employ such other experts, assistants, clerks, and stenographers as may be necessary to perform the duties required of it and fix their compensation; repealing all acts and parts of acts in conflict therewith, and providing for an effective date."

Do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 do not pass, but that

Substitute House Bill No. 68, a bill for an act entitled: "An act to amend section 53-122 of the Revised Codes of Montana, 1947, relating to registration fees on motor vehicles and the disposal of said fees; providing that twenty-five per cent (25%) of the net license fees derived from owners of motor vehicles residing within the boundaries of incorporated cities and towns in the State of Montana, other than the cities now covered by said section, shall be held by the county treasurer, segregated from other county road funds and designated as 'municipal road fund,' to be used in said cities and towns for the construction, repair and maintenance of streets in said cities and towns; providing that the balance of said net fees shall be transmitted to the county treasurer of the county from which the registration fee came to be used by said county for construction, repair and maintenance of public highways, except state and federal highways, within said county; amending said section by deleting all reference to cities having a population of ten thousand (10,000) or more persons which are situate in the county which has an area of less than seven hundred fifty (750) square miles; repealing all acts or parts of acts in conflict herewith and providing for an effective date."

Do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under

consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do not pass.

BROEDER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 1, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Agriculture, report adopted, and the same is herewith returned to the House:

House Bill No. 44 introduced by Leuthold, Hanks, Kvaalen, Cerovski, Aasheim, Higham, Melcher, Etchart, Wright, Asbjornson and Edwards.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 1, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 169 introduced by Brenner.

Senate Bill No. 115, introduced by Brenner.

Senate Bill No. 98 introduced by Brenner.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 1, 1961

Mr. Speaker:

The Senate this day requested the return to the Senate of Senate Bill No. 124.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Rosell that House Bill No. 357 be taken from the Committee on Bills and rereferred to General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 98, introduced, read first and second times, and referred to committees:

Senate Bill No. 98, introduced by Brenner: A bill for an act entitled: "An act to amend section 89-1206, Revised Codes of Montana, 1947, relating to county which board of commissioners of an irrigation district may designate for office of board, to provide that the board may designate the office of the board to be in a county containing a substantial portion of the lands of the irrigation district; and to amend section 89-1814, Revised Codes of Montana, 1947, relating to the transmission of funds of an irrigation district located in more than one county, to provide for the transmission of funds by the county treasurers of counties where the office of the district is not located to the treasurer of the county wherein the office of the district is located; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Agriculture and Irrigation.

Senate Bill No. 115, introduced by Brenner: A bill for an act entitled: "An act to amend sections 12 and 18, of chapter 153, of the Session Laws of Montana, 1955, designated as sections 94-9832 and 94-9838 respectively, in the 1959 cumulative pocket supplement in volume 8 of the Revised Codes of Montana, 1947, relating to release on parole of any person by the Montana state board of pardons, confined in the Montana state prison, to meeting certain requirements, except persons under sentence of death; providing that convicts with one prior felony conviction serve one-half ($\frac{1}{2}$) of their sentence, convicts with two (2) prior felony convictions serve three-fourths ($\frac{3}{4}$) of their sentence, and convicts with more than two (2) prior felony convictions serve the full amount of their sentence; providing that the United States department of justice, federal bureau of investigation reports or Montana state prison and the state board of criminal identification records are to be used as a basis to show prior convictions of convicts; providing for parole of convicts under life sentence who have served twenty-five (25) years; providing for good time allowances, review of convicts' records, and establishing parole procedures; providing for arrest of parolees or probationers upon violation of condition of release; providing that during the time of parole violation shall not be counted as time served under the sentence by the convict; providing for a saving clause." Referred to Judiciary Committee.

Senate Bill No. 169, introduced by Brenner: A bill for an act entitled: "An act to amend section 3 of chapter 285, Session Laws of Montana, of 1959, designated as section 69-3504, of the 1959 cumulative pocket supplement, of replacement volume 4, of the Revised Codes of Montana, of 1947, relating to the rules and regulations for numbering and registering motorboats and vessels in the State of Montana by the Montana state fish and game department; providing that the application for a number for the motorboat or vessel shall be accompanied by a current tax certificate of personal property, showing payment thereof for the current year on said boat or vessel; and containing a repealing clause." Referred to Committee on Fish and Game.

Substitute House Bill No. 68, introduced by Committee on Highways: A bill for an act entitled: "An act to amend section 53-122 of the Revised Codes of Montana, 1947, relating to registration fees on motor vehicles and the disposal of said fees; providing that twenty-five per cent (25%) of the net license fees derived from owners of motor vehicles residing within the boundaries of incorporated cities and towns in the State of Montana, other than the cities now covered by said section, shall be held by the county treasurer, segregated from other county road funds and designated as 'municipal road fund', to be used in said cities and towns for the construction, repair and maintenance of streets in said cities and towns; providing that the balance of said net fees shall be transmitted to the county treasurer of the county from which the registration fee came to be used by said county for construction, repair and maintenance of public highways, except state and federal highways, within said county; amending said section by deleting all reference to cities having a popula-

tion of ten thousand (10,000) or more persons which are situate in the county which has an area of less than seven hundred fifty (750) square miles; repealing all acts or parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Bills.

Substitute House Bill No. 216, introduced by Committee on Business and Industry: A bill for an act entitled: "An act to amend section 60-145, Revised Codes of Montana, 1947, as amended, relating to the oil and gas conservation commission, privilege and license tax, quarterly state-ments, penalties—drilling permit fees—oil and gas conservation fund; providing for an assessment on all crude petroleum and natural gas produced, saved and marketed or stored within the State of Montana, or exported from the State of Montana, for the purpose of providing funds for defraying the expenses of operation of the oil and gas conservation act and the expenses of the oil and gas conservation commission; providing that the oil and gas conservation commission shall fix the amount of such assessments in the first instance, and may, from time to time, reduce or increase the amount of said assessments as the expenses against the oil and gas conservation fund may require, and providing limitations upon the amount of said assessments; providing that the same factor shall be used in fixing the amounts of assessments; providing that payment of such assessments shall be made by the producers of said crude petroleum and natural gas and providing for the correction of the reference to the section of the Revised Codes of Montana, 1947, as amended, which provides for the reimbursement to said producers for such payments made on crude petroleum and natural gas produced for others; defining the word "lease" used therein; declaring leases owned or operated by one lessee which are affected by one particular unit agreement shall be considered as one lease relative to payments to be made under this section; providing that the commission may appoint a secretary and employ such other experts, assistants, clerks, and stenographers as may be necessary to perform the duties required of it and fix their compensation; repealing all acts and parts of acts in conflict therewith, and providing for an effective date." Referred to Committee on Bills.

Substitute House Bill No. 221, introduced by Judiciary Committee: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as amended by chapter 177, Laws of 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing for a salary increase; repealing all acts and parts of acts in conflict herewith; and containing an effective date." Referred to Committee on Bills.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Spahr of Cascade in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 177 do pass.

That House Bill No. 116 do pass.

That House Bill No. 247 do pass.

That House Bill No. 273 do pass.

That House Joint Memorial No. 8 do pass.

That House Bill No. 252 do pass.

That House Bill No. 253 do pass.

SPAHR, Chairman.

Motion was made by Spahr for adoption of the committee report.

Substitute motion was made by Schwinden that House Bill No. 116 be segregated from the committee report. Schwinden requested a roll call vote on the substitute motion. Sufficient seconds arose and a roll call vote was taken as follows:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Brenner, Burrell, Cerovski, Coulter, Daniels, Edwards, Emmons, Eskildsen, Gustafson, Hanks, Harper, Healy, Jenkins, Jensen (Mineral), Judge, Kvaalen, Laas, Lombardi, Melcher, Mernin, Moudree, Nichols, Picard, Raundal, Schwinden, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt. Total 35.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Bradford, Bush, Conklin, Crum, Dykstra, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Johnson, Keller, Kolar, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright. Total 51.

Paired: McOmber, aye; Jensen (Lake), no.

Absent or not voting: Broeder, Lewis, Nelstead, Stearns, Wayrynen, Mr. Speaker. Total 6.

Excused: None.

Substitute motion failed to carry. Committee report adopted.

MESSAGES FROM THE SENATE

February 2, 1961

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate, House Bill No. 44.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return Senate Bill No. 124. Motion carried.

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return House Bill No. 44. Motion carried.

Anderson (Yellowstone) moved that the House recess until 1:45 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 268, 319, 304, Substitute Bill No. 61, and House Joint Memorial No. 13.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred

House Bills Nos. 97, 106, 133, 440, Substitute House Bills Nos. 53, 82 and 205, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 be amended in section 2, subsection (1c), which is on page 5, line 12, of the original bill following the figures "\$50.00" by inserting the following word and punctuation: " , annually, ";

And as so amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 be amended as follows:

Amend in line 28, page 1 of the original bill, following the word "term" by striking the word "of" and inserting in lieu thereof the words "not to exceed" and as amended, do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do not pass, but that

Substitute House Bill No. 134, a bill for an act entitled: "An act to amend section 93-9903 of the Revised Codes of Montana, 1947, relating to estates in land which may be acquired by condemnations by providing that a fee simple estate may be acquired for state and public highway purposes; to amend section 93-9904 of the Revised Codes of Montana, 1947, by providing that controlled access highways shall not be subject to inter-sections, crossings, or uses in common; to amend section 93-9906 of the Revised Codes of Montana, 1947, relating to entry by the state upon lands for making of surveys and maps by providing that entry may be made by the state upon such lands for the purpose of making appraisals thereof; amending section 93-9909 of the Revised Codes of Montana, 1947, relating to summons in condemnation proceedings by providing that such sum-

mons must be served upon each defendant at least twenty (20) days prior to hearing on order to show cause and providing that a copy of the complaint shall be served on each defendant named; to amend section 93-9910 of the Revised Codes of Montana, 1947, relating to defendants in condemnation proceedings by providing that an answer shall be served upon the plaintiff by each appearing defendant and that such answer shall contain a specific allegation by such defendant as to the amount claimed by such defendant as reasonable and just compensation for the taking of his lands; amending section 93-9911 of the Revised Codes of Montana, 1947, relating to the powers of courts and judges in condemnation proceedings; providing for a preliminary condemnation order; and eliminating therefrom reference to appointment of commissioners; amending section 93-9912 of the Revised Codes of Montana, 1947, relating to meeting of commissioners by providing for qualifications, appointment, and proceedings therefor, and by amending provisions relating to measurement of award by deleting references to damages and substituting therefor the term 'depreciation'; and by deleting provisions relating to compensation for removal of personal property; amending section 93-9913 of the Revised Codes of Montana, 1947, by deleting reference to 'damages', and providing for interest to be paid if plaintiff let into possession of property; amending section 93-9914 of the Revised Codes of Montana, 1947, providing for report of condemnation commissioners and providing that their report shall be filed within ten (10) days after hearing and providing that two of three commissioners may decide award; amending section 93-9915 of the Revised Codes of Montana, 1947, by deleting therefrom reference to damages; amending section 93-9920 of the Revised Codes of Montana, 1947, by providing that plaintiff in condemnation proceedings can be let into possession of property by depositing amount claimed by landowner, providing for a bond to be posted for return of excess moneys by landowner where deposit amounts are withdrawn prior to final award; repealing all acts or parts of acts in conflict herewith."

Do pass.

BROEDER, Chairman.

Report adopted.

INTRODUCTION OF BILLS

Substitute House Bill No. 134 was introduced, read first and second times, and referred to the Committee on Bills:

Substitute House Bill No. 134, introduced by Committee on Highways: A bill for an act entitled: "An act to amend section 93-9903 of the Revised Codes of Montana, 1947, relating to estates in land which may be acquired by condemnations by providing that a fee simple estate may be acquired for state and public highway purposes; to amend section 93-9904 of the Revised Codes of Montana, 1947, by providing that controlled access highways shall not be subject to intersections, crossings, or uses in common; to amend section 93-9906 of the Revised Codes of Montana, 1947, relating to entry by the state upon lands for making of surveys and maps by providing that entry may be made by the state upon such lands for the purpose of making appraisals thereof; amending section 93-9909 of the Revised Codes of Montana, 1947, relating to summons in condemnation proceedings by providing that such summons must be served upon each defendant at least twenty (20) days prior to hearing on order to show cause and providing that a copy of the complaint shall be served on each defendant named; to amend section 93-9910 of the Revised Codes of Montana, 1947, relating to defendants in condemnation proceedings by providing that an answer shall be served upon the plaintiff by each appearing defendant and that such answer shall contain a specific allegation by such defendant as to the amount claimed by such defendant as reasonable and just compensation for the taking of his lands; amending section 93-9911 of the Revised Codes of Montana, 1947, relating to the powers of courts and judges in condemnation proceedings; providing for a preliminary condemnation order; and eliminating therefrom reference

to appointment of commissioners; amending section 93-9912 of the Revised Codes of Montana, 1947, relating to meeting of commissioners by providing for qualifications, appointment, and proceedings therefor, and by amending provisions relating to measurement of award by deleting references to damages and substituting therefor the term 'depreciation'; and by deleting provisions relating to compensation for removal of personal property; amending section 93-9913 of the Revised Codes of Montana, 1947, by deleting reference to 'damages', and providing for interest to be paid if plaintiff let into possession of property; amending section 93-9914 of the Revised Codes of Montana, 1947, providing for report of condemnation commissioners and providing that their report shall be filed within ten (10) days after hearing and providing that two of three commissioners may decide award; amending section 93-9915 of the Revised Codes of Montana, 1947, by deleting therefrom reference to damages; amending section 93-9920 of the Revised Codes of Montana, 1947, by providing that plaintiff in condemnation proceedings can be let into possession of property by depositing amount claimed by landowner, providing for a bond to be posted for return of excess moneys by landowner where deposit amounts are withdrawn prior to final award; repealing all acts or parts of acts in conflict herewith."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 268 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Mr. Speaker. Total 83.

Noes: Edwards, Etchart, Wright. Total 3.

Absent or not voting: Pierce, Schye, Wayrynen. Total 3.

Excused: Asbjornson, Barnard, Hazelbaker, Jensen (Lake), Nichols. Total 5.

House Joint Memorial No. 13 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Seymour, Shelden, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 80.

Noes: Crum, Falkenstern, Goan, Kolar, Reinecke, Smith, Stearns. Total 7.

Absent or not voting: Schye, Wayrynen. Total 2.

Excused: Asbjornson, Barnard, Hazelbaker, Jensen (Lake), Nichols.
Total 5.

Substitute House Bill No. 61 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Wayrynen. Total 1.

Excused: Asbjornson, Barnard, Hazelbaker, Jensen (Lake), Nichols.
Total 5.

House Bill No. 319 was passed by the following vote: ,

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Wayrynen. Total 1.

Excused: Asbjornson, Barnard, Hazelbaker, Jensen (Lake), Nichols.
Total 5.

House Bill No. 304 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Lewis. Total 1.

Absent or not voting: Wayrynen. Total 1.

Excused: Asbjornson, Barnard, Hazelbaker, Jensen (Lake), Nichols.
Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Spahr of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 236 do pass.

That House Bill No. 201 do pass.

That consideration of House Bill No. 214 be passed for the day.

That House Bill No. 298 do pass.

That House Bill No. 271 do pass.

That House Bill No. 255 do pass.

That House Bill No. 142 do pass.

That consideration of House Bill No. 438 be passed for the day.

That consideration of House Joint Memorial No. 12 be passed for the day.

That House Joint Resolution No. 5 do pass.

That House Joint Resolution No. 10 do pass.

That House Bill No. 272 be amended in the first line of section 6 by deleting the word "separability" and inserting in lieu thereof the word "severability"; and as amended, do pass.

SPAHR, Chairman.

Motion was made by Spahr for adoption of the committee report.

Substitute motion was made by Anderson (Yellowstone) that House Bill No. 155 be segregated from the committee report. Substitute motion carried. Committee report adopted, as amended.

MOTIONS AND RESOLUTIONS

Motion was made by Daniels that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 209. Motion carried.

Motion was made by Daniels that House Bill No. 209 be rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:30 a.m., Friday, February 3, 1961. Motion carried.

House adjourned.

CLYDE. L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 3, 1961

House convened, pursuant to adjournment, at 9:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel and Beam, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-second Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 415, respectfully report as follows: That House Bill No. 415 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 do not pass.

HAINES, Chairman.

Motion was made by Haines for adoption of the committee report. Substitute motion was made by Cerovski that House Bill No. 129 be printed and placed on General Orders. Substitute motion failed to carry. Committee report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do not pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 135, 147, 294, 411, and Substitute House Joint Memorial No. 9, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MESSAGES FROM THE SENATE

February 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following Senate Bills and Senate Joint Memorial were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 78 introduced by McGowan, Balgord, Cumming, Groff, Durkee, Thiessen and Stein.

Senate Bill No. 76 introduced by Cotton, Rieder, Thiessen, O'Neill and Cook.

Senate Bill No. 137 introduced by McKeon, Mahoney, Brenner, Brownfield and Nixon.

Senate Bill No. 89 introduced by Shaw, Carney, Thiessen, and Cotton.

Senate Bill No. 133 introduced by Groff, Hibbs and Durkee.

Senate Bill No. 148 introduced by Durkee.

Senate Bill No. 13 introduced by Rieder and Durkee.

Senate Joint Memorial No. 1 introduced by Thiessen, Hafferman, Siderius, Morrow and Hauk.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 76 introduced by Schye, Laas, Healy, Asbjornson and Moudree.

House Bill No. 123 introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Senate Committees, report adopted, and the same are herewith returned to the House:

House Bill No. 120 introduced by Wayrynen, Jensen (Mineral) and Reinecke.

Substitute House Bill No. 80 introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Joint Memorial No. 1, introduced by Thiessen, Hafferman, Siderius, Morrow and Hauk: A Joint Memorial of the Senate and House of

Representatives of the State of Montana to the President of the United States, John F. Kennedy; the Congress of the United States; Mike Mansfield and Lee Metcalf, Senators from the State of Montana; Arnold Olsen and James Battin, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Secretary of the Army; the Chief of the Corps of Engineers, Department of the Army; and the Directors of the Budget, urging ratification of International Joint Commission Agreement, urging construction of Libby Dam as soon as possible in order to protect the national interest in water and water resources rising in the United States; and requesting sufficient appropriations so that detailed planning and design work can begin immediately; providing for a reservation of power for Montana. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 13, introduced by Rieder and Durkee: A bill for an act entitled: "An act making certain changes in the general administration of state lands and investments by amending sections 81-103, 81-201, 81-203 and 81-207, Revised Codes of Montana, 1947, relating to the rule making power of the State Board of Land Commissioners, appointment of the Commissioner of State Lands and Investments, appointment of department employees and qualifications of the chief field agent; by adding a new provision relating to removal of the chief field agent; and by repealing sections 81-209, 81-423 and 81-913, Revised Codes of Montana, 1947, relating to the commissioners' salary and the rule making power of the board." Referred to Committee on State Administration.

Senate Bill No. 148, introduced by Durkee: A bill for an act entitled: "An act to amend section 43-902, R. C. M. 1947, enacted as section 2, chapter 223, Session Laws of 1959, relating to schedule of fees for receiving sets of Legislature proceedings, to provide that all persons, other than representatives of the press, radio and television, must pay, in addition to the fees enumerated in this act, their actual postal expense for receiving such proceedings." Referred to Judiciary Committee.

Senate Bill No. 133, introduced by Groff, Hibbs and Durkee: A bill for an act entitled: "An act to amend section 5-1117 of the Revised Codes of Montana, 1947, relating to the disposition of unclaimed funds of liquidated banks by providing for deposit of funds and accumulated interest in the general fund; providing for application to the State Board of Examiners by depositors or creditors for amounts due; providing for transmission to the Legislative Assembly of approved applications; and providing for deposit of funds and accumulated interest on hand in the general fund." Referred to Judiciary Committee.

Senate Bill No. 89, introduced by Shaw, Carney, Thiessen and Cotton: A bill for an act entitled: "An act to amend section 75-1630, Revised Codes of Montana, 1947, relating to elementary school attendance outside the district of residence; providing for authorization of such attendance; providing for determination of residence; providing for payment of tuition; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

Senate Bill No. 137, introduced by McKeon, Mahoney, Brenner, Brownfield and Nixon: A bill for an act entitled: "An act relating to classification of property for taxation to provide for the encouragement of new industry in the State of Montana by establishing a separate classification for new industrial property during the first five years of operation; amending section 84-301, Revised Codes of Montana, 1947, as last amended by chapter 88 of the Laws of Montana, 1957, to provide a classification for new industrial property; amending section 84-302, Revised Codes of Montana, 1947, to provide a basis for imposition of taxes on new industrial property; repealing all acts and parts of acts in conflict herewith; containing a severability clause and providing for an effective date." Referred to Committee on Ways and Means.

Senate Bill No. 76, introduced by Cotton, Rieder, Thiessen, O'Neill and Cook: A bill for an act entitled: "An act giving to all teachers a minimum of five (5) days per annum sick leave and permitting the sick leave to be accumulated to a minimum of thirty (30) days if in continuous employment by a school district." Referred to Committee on Education.

Senate Bill No. 78, introduced by McGowan, Balgord, Cumming, Groff, Durkee, Thiessen and Stein: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the State Water Conservation Board and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the State Engineer and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by State Water Conservation Board; authorizing State Water Conservation Board to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the State Water Conservation Board; providing for appeals authorizing county attorneys to perform certain services; authorizing State Water Conservation Board to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusively, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a saving clause; and providing for an effective date." Referred to Committee on Agriculture and Irrigation.

House Joint Resolution No. 12, introduced by Cerovski, Conklin, Reagan: A Joint Resolution of the House of Representatives of the State of Montana, the Senate concurring, declaring it to be against the public policy of the State of Montana, and an unfair employment practice, to arbitrarily discriminate against well qualified and otherwise desirable individuals between the ages of forty (40) and sixty-five (65) years, solely because of their age, and when not precluded by variance of insurance coverages, the retirement system of the employer, or other reason not a subterfuge to evade the purposes hereof. Referred to Committee on Labor and Compensation.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 255 be amended in Section 2 by striking that section in its entirety;

Be further amended in Section 3 by substituting the arabic numeral 2 for the numeral 3;

Be further amended in Section 4 by substituting the arabic numeral 3 for the numeral 4; and as amended, do pass.

That House Bill No. 438 do pass.

That consideration of House Bill No. 214 be passed for the day.

That House Joint Memorial No. 12 do pass.

TWEDT, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 140 be passed for the day.

That House Bill No. 439 do pass.

That House Bill No. 188 be amended in Section 1, in line 7 of the printed bill, after the first word "lands", which is in line 21 of the original bill, by inserting the words "at the state prison";

Be amended further in Section 1, in line 7 of the printed bill after the second word "lands", which is in line 22 of the original bill, by inserting the words "at the state prison";

And as amended, do pass.

That Substitute House Bill No. 205 be amended in Section 1 in lines 10 and 11 of the printed bill, which are lines 25, 26 and 27 of the original bill, by striking out the words and figures "Five Thousand Nine Hundred Eighty-one Dollars and Fifty-nine Cents (\$5,981.59)" and inserting in lieu thereof the following words and figures: "Six Thousand Six Hundred Thirty-nine Dollars and Thirty Cents (\$6,639.30)"; and as amended, do pass.

That House Bill No. 440 do pass.

That Substitute House Bill No. 124 do pass.

That House Bill No. 237 do pass.

That House Bill No. 238 do pass.

That House Bill No. 239 do pass.

That consideration of House Bill No. 97 be passed for the day.

That further consideration of Substitute House Bill No. 41 be passed for the day.

That House Bill No. 383 be amended in the title by striking out in the first line thereof, the word "change" following the word "to" and before the word "the" and inserting in lieu thereof the words and punctuation as follows: "amend section 91-1107, Revised Codes of Montana, 1947, changing"; and as amended, do pass.

That House Bill No. 413 be amended in the title by striking out in the last line the period after the word "portions" and inserting in lieu thereof the following: "; providing that if public utility facilities are located in such vacated streets or alleys, the owner thereof shall have an easement for such public utility facilities".;

Be amended further in Section 1 by striking out in line 8 of the printed bill, which is line 23 of the original bill, the period and quotation marks and inserting in lieu thereof the words and quotation marks; ", provided

that if any pole line, pipe line or other public utility facilities are located in any such vacated street or alley at the time of the reversion of the title thereto, the owner of such public utility facilities shall have an easement over such land to continue the operation and maintenance of such public utility facilities.”; and as amended, that House Bill No. 413 do pass.

That Substitute House Bill No. 53 do pass.

TWEDT, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 272, 142, 201, 236, 247, 271, 298, House Joint Resolutions Nos. 5 and 10.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 177, 116, 273, 253, 252, and House Joint Memorial No. 8.

REED, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 98, 146, 170, 202, 218, 292, Substitute House Bill No. 267, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 442, respectfully report as follows: That House Bill No. 442 do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 be amended as follows:

Amend Section 1 on line 12 of the original bill following the word “person” by inserting “or organization”;

Further amend Section 1 on line 19 of the original bill following the words “given by” by inserting the word “the”;

Further amend Section 1 on line 20 of the original bill following the word “recognized” by inserting the words “Boone and Crockett”;

Further amend Section 1 on line 20 of the original bill following the word “trophy” by striking the “s” on the word “institutes”, and the words “or clubs”; and as amended, do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Substitute House Bill No. 6, respectfully report as follows: That Substitute House Bill No. 6 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 be amended in the title on line 12 of the original bill, following the word "fireworks," by inserting the word "except";

Be further amended in section 1, page 3, line 22 of the original bill, following the word "fireworks" by inserting the word "except";

And as so amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 be amended as follows:

Amend the title on page 1, line 26, of the original bill, by adding after the word "owner" and before the word "but" the words, "or its duly authorized agent and within the scope of his authority to the extent authorized"

And be it further amended in section 1, page 2, line 26 of the original bill, following the word "plus" delete the words and figures "6.50% of next \$500,000" and insert in lieu thereof "6.00% of next \$500,000"

Section 1, page 2, line 27 of the original bill, following the word "plus" delete the words and figures "6.00% of all additional" and insert in lieu thereof "5.00% of all additional"

Section 1, page 3, line 4 of the original bill, following the word "plus" delete the words and figures "6.00% of next \$500,000" and insert in lieu thereof "5.50% of next \$500,000"

And be it further amended:

Section 2, page 4, line 12 of the original bill, by adding after the word "owner" and before the word "but" the words, "or its duly authorized agent and within the scope of his authority to the extent authorized"

And as amended, do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 86.

REED, Chairman.

I have examined House Bill No. 86 introduced by me and find the same to be correct.

BLEWETT.

The Speaker signed House Bill No. 86 in open session, the title having first been read.

MESSAGES FROM THE SENATE

February 3, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same is herewith returned to the House:

House Bill No. 127 introduced by Reinecke, Reed, Leuthold, Spahr, and Smith.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 272 was passed by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Aasheim, Barnard, Moudree, Raundal, Shelden, Twedt. Total 6.

Absent or not voting: Adams, Conklin, Loman, Nelstead. Total 4.

Excused: Abel, Beam, Schwinden. Total 3.

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

House Joint Resolution No. 10 was passed by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Laas, Leuthold, Loman, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Aasheim, Adams, Bardanouve, Barnard, Bashor, Bradford, Coulter, Daniels, Emmons, Eskildsen, Gustafson, Hanks, Harper, Haughey, Jensen (Mineral), Judge, Kolar, Lewis, Lombardi, Lord, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 33.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 142 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Mernin, Murray, Nelstead, Nichols, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 79.

Noes: Bashor, Eskildsen, Gustafson, Haines, Hanks, Lewis, McOmber, Melcher, Moudree, Raundal, Twedt. Total 11.

Absent or not voting: Page. Total 1.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 201 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Barnard, Daniels, Leuthold, Moudree. Total 4.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 236 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett,

Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Rygg. Total 1.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 247 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Murray. Total 1.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 271 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Adams, Broeder, Gustafson, Murray, Raundal. Total 5.

Absent or not voting: Moudree. Total 1.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 298 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bentz, Blewett, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Etchart, Falken-

stern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Bardanouve, Bashor, Bradford, Brenner, Conklin, Eskildsen, Lewis, Lombardi, Moudree, Regan, Spahr, Twedt. Total 12.

Absent or not voting: Daniels, Harper. Total 2.

Excused: Abel, Beam, Schwinden. Total 3.

House Joint Memorial No. 8 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bentz, Blewett, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 59.

Noes: Aasheim, Bardanouve, Barnard, Bashor, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Mernin, Moudree, Picard, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 31.

Absent or not voting: Melcher. Total 1.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 177 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Nelstead, Nichols, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Aasheim, Blewett, Bradford, Brenner, Broeder, Eskildsen, Haines, Moudree, Murray, Page, Raundal, Stranahan, Twedt. Total 13.

Absent or not voting: Conklin. Total 1.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 116 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lo-

man, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks, Wright, Mr. Speaker. Total 72.

Noes: Aasheim, Bashor, Burrell, Coulter, Edwards, Harper, Healy, Kvaalen, Lewis, Lombardi, McOmber, Mernin, Moudree, Nichols, Picard, Shelden, Stimatz, Twedt, Wayrynen. Total 19.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 273 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Broeder, Kvaalen, Murray, Nelstead, Rygg. Total 5.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 253 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

House Bill No. 252 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Bush, Cerovski, Coulter, Daniels, Emmons, Hall, Hanks, Hazelbaker, Healy, Higham, Jenkins, Judge, Keller, Leuthold, Loman, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Page, Picard, Pierce, Reed, Regan, Reinecke, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Wayrynen, Weeks, Mr. Speaker. Total 54.

Noes: Adams, Bentz, Broeder, Burrell, Conklin, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Harper, Haughey, Hibbard, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Kolar, Kvaalen, Laas, Lewis, Lombardi, Lundgren, Murray, Nelstead, Nichols, Raundal, Rosell, Rygg, Teigen, Thompson, Twedt, Wright. Total 37.

Absent or not voting: None.

Excused: Abel, Beam, Schwinden. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Memorial No. 14 do pass.

That House Bill No. 172 do pass.

That House Bill No. 106 do pass.

That House Bill No. 133 be amended in section 4 by striking out in lines 10, 11 and 12 of the printed bill, which in the original bill is page 10, following line 32, the words: "who shall make application for such refund without first having paid the tax for which such application for refunds is made, or"; and as amended, do pass.

That Substitute House Bill No. 82 do pass.

That further consideration of House Bill No. 357 be indefinitely postponed.

That consideration of Senate Bill No. 28 be passed for the day.

TWEDT, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:30 a. m., Saturday, February 4, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 4, 1961

House convened, pursuant to adjournment, at 9:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Beam and Jensen (Lake), excused because of illness; Abel, Jensen (Mineral), Lombardi and Melcher, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-third Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 102, 99, 121, 132, 167, 185, 204, 208, 335, 444, Sub. House Bill No. 221, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

February 3, 1961

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 440, 255, 172, 438, 239, 237, 238, 439, House Joint Memorial No. 12, and Substitute House Bills Nos. 53, 124 and 82.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 be amended as follows:

In line 27 of section 1 of page 1 of the original bill following the word "felony" by deleting the following words "the general public" and inserting in lieu thereof the words "persons having a legitimate interest in the proceeding, including responsible representatives of public information media";

In line 11 of section 2 of page 3 of the original bill following the word "to" and preceding the word "any" by inserting the following words: "the identity of an arrested juvenile or to";

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 be amended as follows:

In line 1 and line 2 in paragraph (2) (b) of section 1 of page 2 of the original bill following the words "(matter deleted)" by deleting the words "shall not" and inserting in lieu thereof the words "may either";

In line 2 in paragraph (2) (b) of section 1 of page 2 of the original bill following the word "delinquent" by deleting the words "but shall" and inserting in lieu thereof the word "or";

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do not pass, but that

Substitute House Bill No. 257, A bill for an act act entitled: "An act to amend section 92-605, Revised Codes of Montana, 1947, relating to the presumption of an election by a contractor and his employees to come under an employer's plan of workmen's compensation, and providing, in certain cases, for liability by employers for workmen's compensation benefits to employees of independent contractors engaged by such employers, and repealing all acts and parts of acts in conflict herewith."

Do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 be amended as follows:

Amend line 7 of the title of the original bill by deleting the word "public";

Amend line 12, page 2 of the original bill by striking the words "any highway of the State of Montana which is part of the federal-aid primary or secondary system or the federal interstate system" and inserting in lieu thereof "any state highway designated by agreement between the state highway commission and the secretary of commerce as a part of the national system of interstate and defense highways or a part of the federal-aid primary system and any highway designated by agreement between the state highway commission and the secretary as a part of the federal-aid secondary system of highways";

And further amend in line 14, page 6 of the original bill by striking the figures "1959" and inserting in lieu thereof the figures "1961";

And as amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do not pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 76 and 123.

REED, Chairman.

I have examined House Bill No. 76 introduced by me and find the same to be correct.

SCHYE.

I have examined House Bill No. 123 introduced by me and find the same to be correct.

HAUGHEY.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 76 and 123.

MESSAGES FROM THE SENATE

February 3, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 105, introduced by Thiessen and Cotton.

Senate Bill No. 198, introduced by Cumming and Hibbs.

Substitute Senate Bill No. 34, introduced by Judiciary Committee.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 3, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 83, introduced by Bush, et al.

House Bill No. 111, introduced by Higham and Melcher.

House Joint Resolution No. 6, introduced by Anderson, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 3, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 244, introduced by Conklin, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Substitute Senate Bill No. 34, introduced by Judiciary Committee: A bill for an act entitled: "An act to amend section 52-305 and section 52-306 of the Revised Codes of Montana, 1947, relating to duration of liens of chattel mortgages, providing for extending the time of the duration of the liens of chattel mortgages, and relating to the renewal of chattel mortgages by affidavit; providing that existing chattel mortgages of record shall not be affected by this act; and containing a repealing clause." Referred to Judiciary Committee.

Senate Bill No. 105, introduced by Thiessen, Cotton: A bill for an act entitled: "An act to amend section 75-3410, Revised Codes of Montana, 1947, relating to determination of residences for purposes of school transportation; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

Senate Bill No. 198, introduced by Cumming, Hibbs: A bill for an act entitled: "An act to amend section 94-7821 of the Revised Codes of Montana, 1947, as amended by Chapter 194, Laws of 1955, relating to the power of the court to suspend the execution of the sentence and place the defendant on probation and repealing all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

Substitute House Bill No. 257, introduced by Committee on Labor and Compensation: A bill for an act entitled: "An act to amend section 92-605, Revised Codes of Montana, 1947, relating to the presumption of an election by a contractor and his employees to come under an employer's plan of workmen's compensation, and providing in certain cases, for liability by employers for workmen's compensation benefits to employees of independent contractors engaged by such employers, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measures at length, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 53 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bentz, Blewett, Burrell, Cerovski, Crum, Dykstra, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 56.

Noes: Aasheim, Asbjornson, Barnard, Bashor, Bradford, Brenner, Bush, Conklin, Coulter, Edwards, Emmons, Eskildsen, Gustafson, Hanks, Harper, Lewis, McOmber, Mernin, Moudree, Picard, Raundal, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt. Total 28.

Absent or not voting: Bardanouve, Broeder, Daniels, Hazelbaker. Total 4.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 438 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Goan, Rygg. Total 2.

Absent or not voting: Bardanouve, Broeder, Daniels, Moudree. Total 4.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 239 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Broeder, Daniels. Total 2.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 237 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Daniels. Total 1.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 238 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Daniels. Total 1.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 124 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Adams, Bentz, Higham, Raundal, Reinecke. Total 5.

Absent or not voting: Daniels. Total 1.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 439 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Burrell, Dykstra, Goan, Hibbard, Jenkins, Rygg, Sullivan (Silver Bow). Total 7.

Absent or not voting: Blewett, Daniels, Moudree, Schye. Total 4.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Joint Memorial No. 12 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dyk-

stra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 59.

Noes: Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Conklin, Coulter, Emmons, Eskildsen, Harper, Judge, Laas, Lewis, Mernin, Moudree, Picard, Raundal, Reinecke, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 27.

Paired: Jensen (Lake), aye; McOmber, no.

Absent or not voting: Daniels. Total 1.

Excused: Abel, Beam, Jensen (Mineral), Lombardi, Melcher. Total 5.

House Bill No. 440 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Kvaalen, Moudree. Total 2.

Absent or not voting: Bardanouve, Daniels, Hilling. Total 3.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 255 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Daniels. Total 1.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

House Bill No. 172 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford,

Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Adams, Goan, Gustafson, Harper, Schye. Total 5.

Absent or not voting: None.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

Substitute House Bill No. 82 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: None.

Excused: Abel, Beam, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher. Total 6.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Lucas of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 214 do pass.

That consideration of House Bill No. 97 be passed for the day.

That consideration of House Bill No. 98 be passed for the day.

That consideration of House Bill No. 140 be passed for the day.

That consideration of House Bill No. 135 be passed for the day.

That Substitute House Bill No. 41 be amended in the title thereof on line 4 of the printed bill, which is line 7 of the original bill, by inserting after the word "tests" and before the word "for" the words "of blood, breath, saliva or urine,"; and

Be amended further in the title on the last line thereof, following the

word "herewith" by inserting the following punctuation and words before the period and quotation marks: "; and providing for a notice statement to be contained in drivers' licenses and permits hereafter issued"; and

Be amended further in section 1, in line 10 of the printed bill, which is page 2, line 12 of the original bill, by deleting the word "drinking" and inserting in lieu thereof the word "driving"; and

Be amended further in section 2, in line 2 of the printed bill, which is line 18, page 2 of the original bill, by striking the first comma in the line and the following words: "or a qualified technician, chemist"; and

Be amended further by adding the following section, numbered section 13: "Section 13. Notice. Each driver's license or permit to drive hereafter issued by the State of Montana shall contain a statement notifying the licensee or permittee that the license or permit may be revoked for a period of up to one year, if, after arrest and upon proper demand, he refuses to submit to chemical testing as provided in this act.";

And as amended that Substitute House Bill No. 41 do pass.

That Senate Bill No. 28 be concurred in.

That House Bill No. 294 do pass.

That House Bill No. 146 do pass.

That House Bill No. 292 do pass.

LUCAS, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 205, House Joint Memorial No. 14, House Bills Nos. 188, 106, 133, 383, 413.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do not pass.

HAUGHEY, Chairman.

Motion was made by Haughey for adoption of the committee report.

Substitute motion was made by Schwinden that House Bill No. 270 be printed and placed on General Orders. Substitute motion for all motions pending was made by Dykstra that House Bill No. 270 be re-referred to the Judiciary Committee. Motion by Dykstra carried.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65, do not pass, but that

Substitute House Bill No. 65, introduced by the Committee on Judiciary: A bill for an act entitled: "An act relating to school district funds realized from bond sales for purposes of construction; requiring the officer in charge of such funds to invest idle funds, when requested by the school district governing body, in short-term obligations of the United States of America, and to credit interest earned to such school district, notwithstanding other provisions; amending sections 16-2050 and 75-3922, R. C. M. 1947; repealing all acts and parts of acts in conflict herewith."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 be amended as follows:

Amend line 12 of the title of the original bill, page 1, following the word "act" by striking the period (.) and quotation marks (") and inserting a semicolon(;) and add the following: "and providing a penalty."

Amend in line 6, page 2 of the original bill following the word "misdemeanor" by striking the period (.) and adding the following: "and upon conviction, be fined fifty dollars (\$50.00).";

And as amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 be amended as follows:

Be amended in section 13, page 5 of the original bill, in line 27, following the word "osteopathy," add the word "or" and delete the words in line 27 beginning with the comma following "chiropractic" and delete the remainder of the line, and all of the words on line 28.

Further amend section 13, by beginning in line 27, page 5 of the original bill, following the word "chiropractic" by adding the following words and punctuation: "; nor shall this act be construed to limit or regulate any other business or profession or any services rendered or performed in connection therewith, including osteopathy, chiropractic, chiropractic physiotherapy, massage therapists, masseurs, or Swedish masseurs."

Said section, as amended, reads as follows:

"Section 13. Nothing in this act shall be construed as authorizing a physical therapist, whether licensed or not, to practice medicine, osteopathy or chiropractic; nor shall this act be construed to limit or regulate any other business or profession or any services rendered or performed in connection therewith, including osteopathy, chiropractic, chiropractic physiotherapy, massage therapists, masseurs, or Swedish masseurs."

And that it be further amended in section 16, page 6, lines 22 and 23, following the words "or more than" delete the words and figures "one thousand dollars (\$1,000.00)" and insert in lieu thereof the words and figures "five hundred dollars (\$500.00)";

And that it be further amended in section 16, page 6, line 24, following the words "or more than" by deleting the words and figure "one (1) year" and inserting in lieu thereof the words and figure "six (6) months,";

And as so amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do not pass.

KELLER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 4, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 234, introduced by Dykstra, Loman and Haines.

House Bill No. 145, introduced by Dykstra, Haines and Loman

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 4, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Substitute for Senate Bill No. 12, introduced by Oil and Gas Committee.

Senate Substitute for Senate Bill No. 84, introduced by Committee on Local Government.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 4, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 233, introduced by Anderson (Yellowstone).

House Bill No. 161, introduced by Nelstead.

House Bill No. 190, introduced by Bardanouve and Eskildsen.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Substitute for Senate Bill No. 12, introduced by Oil and Gas Committee: A bill for an act entitled: "An act to delete obsolete references in the Revised Codes of Montana, 1947, relating to state mortgage lands and farm mortgage loans by amending sections 81-902, 81-909, 81-910, 81-912, 81-1701 and 81-102, Revised Codes of Montana, 1947, and section 81-908, Revised Codes of Montana, 1947, as amended by section 1, chapter 95, Session Laws of Montana, 1949, and as amended by section 1, chapter 10, Session Laws of Montana, 1959, and by repealing sections 81-911,

81-914, 81-1901, 81-1902, 75-3730, 75-3731, 75-3732, 75-3733, Revised Codes of Montana, 1947." Referred to Committee on Business and Industry.

Senate Substitute for Senate Bill No. 84, introduced by Committee on Local Government: A bill for an act entitled: "An act relating to ambulance service in counties; permitting a county to establish and maintain such ambulance service, if no private ambulance service is available, upon receipt of a petition signed by a majority of the taxpayers listed on the last-completed assessment roll; authorizing the county to contract for facilities and equipment and operators or attendants, to adopt rules and establish fees; requiring the county to abandon its ambulance service if a private service comes into the county and to sell its facilities and equipment." Referred to Committee on Townships and Counties.

Substitute House Bill No. 65, introduced by Judiciary Committee: A bill for an act entitled: "An act relating to school district funds realized from bond sales for purposes of construction; requiring the officer in charge of such funds to invest idle funds, when requested by the school district governing body, in short-term obligations of the United States of America, and to credit interest earned to such school district, notwithstanding other provisions; amending sections 16-2050 and 75-3922, R. C. M. 1947; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measures read at length, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 205 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Moudree. Total 1.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

House Bill No. 188 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 74.

Noes: Bradford, Coulter, Daniels, Emmons, Gustafson, Harper,

Haughey, Kolar, Kvaalen, Mernin, Moudree, Sullivan (Deer Lodge). Total 12.

Absent or not voting: None.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

House Bill No. 106 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: None.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

House Joint Memorial No. 14 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Harper. Total 1.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

House Bill No. 133 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: None.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

House Bill No. 383 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Raundal, Schwinden. Total 2.

Absent or not voting: None.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

House Bill No. 413 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Conklin. Total 1.

Absent or not voting: Smith. Total 1.

Excused: Abel, Haines, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Reinecke, Spilde. Total 8.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Lucas of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders recommend the following:

That consideration of Substitute House Joint Memorial No. 9 be passed for the day.

That House Bill No. 218 be amended in the title in line 6 thereof of the printed bill, which is line 9 in the original bill, by striking, after the word "condition" the words "as items of damage"; and as amended, do pass.

That further consideration of House Bill No. 202 be indefinitely postponed.

That Substitute House Bill No. 267 do pass.

That House Bill No. 170 be amended in the title in the last line thereof by deleting the following: "November 1" and inserting in lieu thereof the following: "sixty days after the term of such teacher begins"; and as amended, do pass.

That House Bill No. 411 do pass.

That consideration of House Bill No. 147 be passed for the day.

LUCAS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

PAGE, Chairman.

Motion was made by Page for adoption of the committee report.

Substitute motion was made by Hazelbaker that House Bill No. 279 be printed and placed on General Orders. After debate on the substitute motion Nelstead moved for the previous question. Motion carried. Substitute motion by Hazelbaker failed to carry. Motion by Page carried; report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 be amended as follows:

In the title of the bill, line 10, of page 1 of the original bill by deleting the figures "130,000" and inserting in lieu thereof the figures "100,000";

In Section 1, line 17 of page 1 of the original bill by deleting the figures "130,000" and inserting in lieu thereof the figures "100,000";

In Section 2, line 25 of page 1 of the original bill by deleting the figures "130,000" and inserting in lieu thereof the figures "100,000";

And as amended, do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do not pass, but that

Substitute House Bill No. 90, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to amend section 66, chapter 286, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the tax on net premiums of insurers; increasing from two per cent to two and one-quarter per cent the tax on such premiums for each of the calendar years 1961 and 1962; and repealing all acts and parts of acts in conflict herewith."

Do pass.

PAGE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Kolar that House Bill No. 164 be taken from the Committee on Townships and Counties and referred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Bills:

Substitute House Bill No. 90, introduced by the Committee on Ways and Means: A bill for an act entitled: "An act to amend section 66, chapter 286, Laws of the Thirty-sixth Legislative Assembly, 1959, relating to the tax on net premiums of insurers; increasing from two per cent to two and one-quarter per cent the tax on such premiums for each of the calendar years 1961 and 1962; and repealing all acts and parts of acts in conflict herewith."

February 1, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 15 and 109, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:40 p. m., delivered to the Governor for his approval.

REED, Chairman.

February 4, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 76, 86 and 123, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:45 a. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 1:30 p. m., Sunday, February 5, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 5, 1961

House convened, pursuant to adjournment, at 1:30 p. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, Barnard, Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr and Spilde, excused for personal business, and Harper and Jensen (Mineral) excused due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-fourth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report

the following bills correctly engrossed: House Bills Nos. 170, 218, 411 and Substitute House Bill No. 267.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 292, 294, 214, 146 and Substitute House Bill No. 41.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 131, 159, 182, 248, 249, 250, 288, 315, 410 and Sub. House Bills Nos. 68 and 216, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 187, 193, 241, 264, 274, 442 and Sub. House Bill No. 134, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MESSAGE FROM THE SENATE

February 4, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Taxation, report adopted, and the same is herewith returned to the House:

House Bill No. 62 introduced by Wright, Higham, Cerovski, Bentz, Kolar, Hawks, Lewis (Glacier), Leuthold and Stranahan.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Healy that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 89. Motion carried.

Motion was made by Anderson (Yellowstone) that House Bill No. 89 be printed and placed on General Orders. Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 28, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Burrell, Keller, Nichols, Rygg, Smith. Total 5.

Absent or not voting: Adams. Total 1.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 41 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bentz, Blewett, Bradford, Burrell, Bush, Coulter, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Jenkins, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Moudree, Nichols, Page, Raundal, Reed, Reinecke, Rygg, Schwinden, Schye, Seymour, Smith, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Bardanouve, Beam, Brenner, Broeder, Cerovski, Conklin, Crum, Daniels, Edwards, Goan, Healy, Johnson, Kolar, Kvaalen, Mernin, Murray, Nelstead, Picard, Pierce, Stearns, Sullivan (Silver Bow), Thompson. Total 22.

Paired: Harper, aye, Rosell, no; Spahr, aye, Hilling, no; Regan, aye, Bashor, no.

Absent or not voting: None.

Excused: Abel, Barnard, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Shelden, Spilde. Total 8.

House Bill No. 292 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Eskildsen, Raundal. Total 2.

Absent or not voting: None.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

House Bill No. 294 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed,

Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Wayrynen, Weeks, Wright, Mr. Speaker. Total 71.

Noes: Aasheim, Baldwin, Bradford, Coulter, Gustafson, Hanks, Jenkins, McOmber, Raundal, Stranahan, Thompson, Twedt. Total 12.

Absent or not voting: None.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

House Bill No. 214 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Dykstra, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nelstead, Nichols, Page, Picard, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 68.

Noes: Asbjornson, Bardanouve, Brenner, Coulter, Edwards, Eskildsen, Laas, Leuthold, Lewis, Moudree, Pierce, Raundal, Schwinden, Twedt. Total 14.

Absent or not voting: Daniels. Total 1.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

House Bill No. 146 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Raundal. Total 1.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

House Bill No. 170 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith,

Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: None.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

House Bill No. 218 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: None.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

House Bill No. 411 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 74.

Noes: Adams, Blewett, Edwards, Gustafson, Haughey, Keller, Kolar, McOmber, Raundal. Total 9.

Absent or not voting: None.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

Substitute House Bill No. 267 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 80.

Noes: Lewis, Raundal. Total 2.

Absent or not voting: Lundgren. Total 1.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Coulter of Garfield in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 97 do pass.

That consideration of House Bill No. 140 be passed for the day.

That consideration of House Bill No. 135 be passed for the day.

That consideration of Substitute House Joint Memorial No. 9 be passed for the day.

That consideration of House Bill No. 102 be passed for the day.

That consideration of House Bill No. 335 be passed for the day.

That House Bill No. 98 do pass.

That consideration of House Bill No. 147 be passed for the day.

That House Bill No. 99 do pass.

That further consideration of House Bill No. 121 be indefinitely postponed.

That House Bill No. 132 do pass.

That House Bill No. 185 do pass.

That House Bill No. 204 do pass.

That House Bill No. 208 do pass.

That Substitute House Bill No. 221 do pass.

That House Bill No. 444 do pass.

That Senate Amendments to House Bill No. 83 be concurred in.

That Senate Amendments to House Bill No. 234 be concurred in.

That Senate Amendments to House Bill No. 145 be concurred in.

That Senate Amendments to House Joint Resolution No. 6 be concurred in.

COULTER, Chairman.

Motion was made by Coulter for adoption of the Committee of the Whole report.

Substitute motion was made by Conklin that House Bill No. 121 be segregated from the committee report. A roll call vote was requested and a sufficient number of seconds arose. Roll call vote was taken as follows:

Ayes: Aasheim, Bardanouve, Bradford, Cerovski, Conklin, Coulter, Daniels, Haines, Hanks, Higham, Jensen (Lake), Kvaalen, Lewis, McOmber,

Mernin, Nichols, Page, Raundal, Schwinden, Schye, Stimatz, Twedt, Weeks. Total 23.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Blewett, Brenner, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Moudree, Murray, Nelstead, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Seymour, Smith, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Wright, Mr. Speaker. Total 59.

Absent or not voting: Laas. Total 1.

Excused: Abel, Barnard, Harper, Jensen (Mineral), Jensen (Lake), Lombardi, Melcher, Regan, Shelden, Spahr, Spilde. Total 11.

Substitute motion failed to carry. Committee report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Monday, February 6, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 6, 1961

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-fifth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

February 5, 1961

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 221, and House Bills Nos. 208, 204, 132 and 444.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 179, 403, 153, 323, 358, 404, 414 and Substitute House Bill No. 257, beg leave to report the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 69, respectfully report as follows: That Senate Bill No. 69 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 be amended as follows:

By inserting a new paragraph after the second paragraph in Section 3, said paragraph to read as follows:

"No preference shall be given on contracts where federal aid is obtained from any bureau or department of the United States except as provided for by the laws of the United States, nor shall the provisions of Section 82-1157, Revised Codes of Montana, 1947, be amended or repealed by this act."

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 be amended as follows:

Amend in Section 1, line 25 of the original bill, after the words "(matter deleted)" by deleting the words and figures "ten cents (10c)" and inserting in lieu thereof the words and figures "eight cents (8c)";

Further amend in Section 3, line 8, page 2 of the original bill, following the words on line 7 "(matter deleted)" by deleting the words and figures "ten cents (10c)" and inserting in lieu thereof the words and figures "eight cents (8c)";

Further amend by striking all of Section 4.

And as so amended, do pass.

WRIGHT, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation

measure at length, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 221 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Adams, Baldwin, Burrell, Edwards, Haines, Kvaalen, McOmber, Nichols, Raundal. Total 9.

Absent or not voting: Hanks, Spilde. Total 2.

Excused: Abel. Total 1.

House Bill No. 208 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Daniels, Moudree, Raundal. Total 3.

Absent or not voting: Spilde. Total 1.

Excused: Abel. Total 1.

House Bill No. 204 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Coulter, Crum, Daniels, Dykstra, Emmons, Etchart, Falkenstern, Goan, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Adams, Cerovski, Conklin, Edwards, Eskildsen, Gustafson, Hanks, Kvaalen, Laas, McOmber, Moudree, Raundal, Schwinden, Twedt. Total 14.

Absent or not voting: Bardanouve. Total 1.

Excused: Abel. Total 1.

House Bill No. 132 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Gustafson, Haughey. Total 2.

Absent or not voting: Bardanouve. Total 1.

Excused: Abel. Total 1.

House Bill No. 444 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Nelstead, Nichols, Page, Picard, Raundal, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Anderson (Madison), Baldwin, Bradford, Broeder, Burrell, Haughey, Hibbard, Keller, Kolar, Kvaalen, Moudree, Murray, Pierce, Reed, Reinecke, Stearns. Total 16.

Absent or not voting: Daniels, Hilling. Total 2.

Excused: Abel. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Moudree of Broadwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Substitute House Bill No. 274 be passed for the day.

That Substitute House Joint Memorial No. 9 be amended by deleting the last "whereas" in its entirety, which covers lines 8 through 15 of the printed bill, and lines 21 through 28, page 1 of the original bill;

And as amended, do pass.

That House Bill No. 102 be amended in Section 3 in line 28, page 3 of the original bill, which is line 22 of Section 3 of the printed bill, by inserting

between the word "agriculture" and the words "or the growing of timber", the following word and punctuation: " , mining";

And as amended, do pass.

That consideration of House Bill No. 335 be passed for the day.

That consideration of House Bill No. 147 be passed for the day.

That Substitute House Bill No. 68 do pass.

That House Bill No. 167 do pass.

MOUDREE, Chairman.

Moudree moved for adoption of the Committee of the Whole report. Substitute motion was made by Anderson (Yellowstone) that House Bill No. 274 be segregated from the committee report. Substitute motion carried.

Substitute motion was made by Anderson (Yellowstone) that House Bill No. 102 be segregated from the committee report. Substitute motion carried.

Committee report adopted, as amended.

Motion was made by Anderson (Yellowstone) that the House recess until 2:15 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 97, 98, 99, 185.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do not pass, but that

Substitute House Bill No. 318, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 92-827, Revised Codes of Montana, 1947, as amended by chapter 170, Laws of Montana, 1959, by providing a limitation in the attorney's fee to be paid; repealing all acts and parts of acts in conflict herewith."

Do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be concurred in.

ANDERSON (Yellowstone)
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 161.

REED, Chairman.

I have examined House Bill No. 161 introduced by me and find the same to be correct.

NELSTEAD

The Speaker signed House Bill No. 161 in open session, the title having first been read.

MESSAGES FROM THE SENATE

February 6, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day adopted, as amended, and is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 8 introduced by Committee on Rules.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Joint Resolution No. 8, introduced by Committee on Rules: A Joint Resolution of the Senate and House of Representatives amending joint rule 20. Referred to Committee on Rules and Journal.

Substitute House Bill No. 318, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend section 92-827, Revised Codes of Montana, 1947, as amended by chapter 170, Laws of Montana, 1959, by providing a limitation in the attorney's fee to be paid; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 83 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols,

Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 85.

Noes: Coulter. Total 1.

Absent or not voting: Brenner, Emmons, Hall, Lundgren, Regan, Schye, Wright. Total 7.

Excused: Abel. Total 1.

Senate Amendments to House Bill No. 234 were concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Aasheim, Emmons, Schye. Total 3.

Excused: Abel. Total 1.

Senate Amendments to House Bill No. 145 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Emmons, Schye. Total 2.

Excused: Abel. Total 1.

Senate Amendments to House Joint Resolution No. 6 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), John-

son, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Emmons. Total 1.

Excused: Abel. Total 1.

House Bill No. 97 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Bashor, Cerovski, Goan, Gustafson, Johnson, Lombardi, Nelstead, Spilde. Total 8.

Absent or not voting: Emmons. Total 1.

Excused: Abel. Total 1.

House Bill No. 98 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Emmons, Harper. Total 2.

Excused: Abel. Total 1.

House Bill No. 99 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake),

Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Abel. Total 1.

House Bill No. 185 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Regan. Total 1.

Excused: Abel. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Moudree of Broadwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 159 do pass.

That House Bill No. 182 do pass.

That Substitute House Bill No. 216 do pass.

That House Bill No. 248 do pass.

That House Bill No. 249 do pass.

That House Bill No. 250 do pass.

MOUDREE, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Moudree of Broadwater in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 131 do pass.

That House Bill No. 288 do pass.

That House Bill No. 315 do pass.

MOUDREE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 71, 223, 224, 231, 94 and Substitute House Bills Nos. 65 and 90, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 159, 248, 249, 250, 167, Substitute House Bill No. 68 and Substitute House Joint Memorial No. 9.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House recess until 7:15 p. m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 315, 288, 182, 131 and Substitute House Bill No. 216.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having

had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do not pass, but that

Substitute House Bill No. 401, A bill for an act entitled: "An act to amend section 32-1123, Revised Codes of Montana, 1947, as amended by section 1, chapter 250 of the Laws of 1955, as amended by section 1, chapter 221 of the Laws of 1959, relating to size and weight of motor vehicles operating over and upon the highways of the State of Montana, providing that no single truck shall have an overall length in excess of forty (40) feet; providing that no tractor, semitrailer, full trailer or combination of vehicles shall have an over-all length in excess of sixty-five (65) feet; no vehicle shall tow any combination of vehicles in excess of sixty-five (65) feet; deleting from section 32-1123, Revised Codes of Montana, all of subsection (4) pertaining to speed; amending section 32-1124, Revised Codes of Montana, 1947, adding the words and numbers section number 32-1123; amending section 32-1125, Revised Codes of Montana, 1947; changing the manner of penalizing violators of section 32-1123, and setting forth schedule of graduated fines and providing for monthly remittances of said fines to the State Treasurer; amending section 32-1126, Revised Codes of Montana, 1947, requiring employees of the State Highway Commission engaged in the enforcement of this act to wear identification badges; giving the State Highway Commission discretion to authorize uniform dress for these employees; requiring the unloading of vehicles and the care of unloaded material to be at the risk of the owner; amending section 32-1127, Revised Codes of Montana, 1947, as amended by section 1, chapter 254, Laws of 1955, relating to the permits for excess size and weight of motor vehicles; authorizing the State Highway Commission to grant special permits for excess size and weight in the public interest, and containing a repealing clause."

Do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do not pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 be amended as follows:

By deleting from the original bill on page one, Section 1, Sub-paragraph 1, at line 24 following the words "city or town," the following words, "at rates established" and further deleting the following words at line 25 "for like use or service to the inhabitants or industries located" and further deleting at line 26 the following words, "inside the corporate limits of such city or town," and inserting in lieu thereof the following words, "the rates to be established at the discretion of the city or town council and upon approval of the Public Service Commission."

And as amended, do pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had

under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

NELSTEAD, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 6, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 140 introduced by Brenner, McKeon and Manning.

Senate Bill No. 108 introduced by McDonnell, Harken and Dussault.

Senate Bill No. 57 introduced by McKenna (Fergus) and Rice.

Senate Bill No. 141 introduced by Groff, Durkee and Cumming.

Senate Bill No. 103 introduced by McKeon, Carney, McGowan, Cumming, Durkee and Reardon.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 6, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Agriculture, report adopted, and the same is herewith returned to the House:

House Bill No. 199 introduced by Leuthold.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Substitute House Bill No. 401, introduced by the Committee on Highways: A bill for an act entitled: "An act to amend section 32-1123, Revised Codes of Montana, 1947, as amended by section 1, chapter 250 of the Laws of 1955, as amended by section 1, chapter 221 of the Laws of 1959, relating to size and weight of motor vehicles operating over and upon the highways of the State of Montana, providing that no single truck shall have an over-all length in excess of forty (40) feet; providing that no tractor, semi-trailer, full trailer or combination of vehicles shall have an over-all length in excess of sixty-five (65) feet; no vehicle shall tow any combination of vehicles in excess of sixty-five (65) feet; deleting from section 32-1123, Revised Codes of Montana, all of subsection (4) pertaining to speed; amending section 32-1124, Revised Codes of Montana, 1947, adding the words and numbers section number 32-1123; amending section 32-1125, Revised Codes of Montana, 1947; changing the manner of penalizing violators of section 32-1123, and setting forth schedule of graduated fines and providing for monthly remittances of said fines to the State Treasurer; amending section 32-1126, Revised Codes of Montana, 1947, requiring employees of the State

Highway Commission engaged in the enforcement of this act to wear identification badges; giving the State Highway Commission discretion to authorize uniform dress for these employees; requiring the unloading of vehicles and the care of unloaded material to be at the risk of the owner; amending section 32-1127, Revised Codes of Montana, 1947, as amended by section 1, chapter 254, Laws of 1955, relating to the permits for excess size and weight of motor vehicles; authorizing the State Highway Commission to grant special permits for excess size and weight in the public interest, and containing a repealing clause." Referred to Committee on Bills.

Senate Bill No. 141, introduced by Groff, Durkee, Cumming: A bill for an act entitled: "An act to amend section 26-1201 of the Revised Codes of Montana, 1947; relating to license fees for possessing and controlling live fur-bearing animals; providing that fur-bearing animals be enclosed by approved fencing material, and reasonable inspection thereof by state fish and game wardens; providing that holders of game farm licenses shall keep a permanent record of all sales and purchases and of fur-bearing animals controlled or possessed under such licenses, and inspection of said records by the state fish and game wardens; and providing for a penalty for violation of this act; providing for exclusions; and containing a repealing clause." Referred to Committee on Fish and Game.

Senate Bill No. 57, introduced by McKenna (Fergus) and Rice: A bill for an act entitled: "An act to amend section 5 of chapter 285, Laws of 1959, relating to equipment requirements for vessels, to provide for certain exceptions for equipment standards for life preservers and fire extinguishers; and containing a repealing clause." Referred to Committee on Fish and Game.

Senate Bill No. 108, introduced by McDonnell, Harken, Dussault: A bill for an act entitled: "An act to amend section 53-421 of Replacement Volume 3, of the Revised Codes of Montana, 1947, requiring written reports within ten (10) days after an accident at which any person was killed or injured or which property damage of any one person was in excess of one hundred dollars (\$100.00), to be submitted to the Montana State Highway Patrol supervisor on forms prescribed by him; and repealing sections 53-422 and 53-423 of the Revised Codes of Montana, 1947, as amended by chapter 83, Session Laws of Montana of 1959, and repealing sections 53-424, 53-425, 53-426, 53-427, and 53-428, of the Replacement Volume 3, of the Revised Codes of Montana, of 1947; and containing a repealing clause." Referred to Committee on Highways.

Senate Bill No. 140, introduced by Brenner, McKeon, Manning: A bill for an act entitled: "An act to amend section 84-1505 of Replacement Volume 5, of the Revised Codes of Montana, of 1947, relating to the assessment, payment and collection of the Montana corporation license tax by the Montana State Board of Equalization; specifying the time of payment of tax by corporations on a calendar year basis and corporations on a fiscal year basis; providing for penalties in cases of refusal or neglect to make returns, and in cases of erroneous, false or fraudulent returns; providing for penalties for the nonpayment of the corporation license fee; providing for refund; providing for levy upon and sale of real and personal property for nonpayment of corporation license income tax; providing that actions may be brought by the Attorney General of Montana at the request of the Board of Equalization; providing for an effective date of this act; and containing a repealing clause." Referred to Committee on Ways and Means.

Senate Bill No. 103, introduced by McKeon, Carney, McGowan, Cumming, Durkee and Reardon: A bill for an act entitled: "An act relating to the manner of determining inheritance taxes on the transfer by deed between husband to wife and wife to husband conveying real property within three (3) years of date of death or at or after death; establishing a procedure therefor; imposing certain duties on county clerk and recorders, county assessors and the State Board of Equalization; providing that the

provisions of this act be governed by section 91-4416, Revised Codes of Montana, 1947; and establishing a valuation limitation." Referred to Judiciary Committee.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 68 was passed by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Crum, Daniels, Dykstra, Emmons, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Mernin, Murray, Nichols, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Swanz, Thompson, Wayrynen, Weeks, Mr. Speaker. Total 71.

Noes: Aasheim, Adams, Baldwin, Conklin, Edwards, Eskildsen, Etchart, Hanks, Hazelbaker, Kolar, Lord, McOmber, Moudree, Raundal, Reinecke, Stranahan, Sullivan (Silver Bow), Teigen, Twedt, Wright. Total 20.

Absent or not voting: Coulter, Nelstead. Total 2.

Excused: Abel. Total 1.

Substitute House Joint Memorial No. 9 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Laas, Leuthold, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Seymour, Smith, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Aasheim, Bardanouve, Blewett, Bradford, Brenner, Cerovski, Conklin, Daniels, Emmons, Hanks, Harper, Haughey, Jensen (Mineral), Kolar, Lewis, Loman, Lombardi, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stranahan, Teigen, Twedt, Wayrynen. Total 28.

Absent or not voting: Barnard, Coulter, Eskildsen, Judge, Melcher, Nelstead, Schye. Total 7.

Excused: Abel. Total 1.

House Bill No. 167 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Dykstra, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Mr. Speaker. Total 58.

Noes: Aasheim, Bardanouve, Barnard, Bashor, Bradford, Brenner,

Cerovski, Coulter, Daniels, Edwards, Emmons, Eskildsen, Etchart, Hanks, Harper, Jensen (Mineral), Judge, Kolar, Laas, Lewis, Lombardi, McOmber, Mernin, Moudree, Raundal, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wright. Total 34.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 159 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Coulter, Daniels, Emmons, Eskildsen, Falkenstern, Haines, Hall, Harper, Haughey, Hazelbaker, Higham, Hilling, Jensen (Mineral), Judge, Kvaalen, Leuthold, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Nichols, Page, Pierce, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks. Total 55.

Noes: Anderson (Madison), Asbjornson, Baldwin, Broeder, Conklin, Crum, Dykstra, Edwards, Etchart, Goan, Gustafson, Hanks, Healy, Hibbard, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Laas, Lewis, Loman, Lombardi, Lord, Mernin, Murray, Picard, Raundal, Regan, Rygg, Smith, Stearns, Stimatz, Sullivan (Silver Bow), Thompson, Wright, Mr. Speaker. Total 37.

Absent or Not Voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 248 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 249 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow),

Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker.
Total 92.

Noes: None.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 250 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker.
Total 92.

Noes: None.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

Substitute House Bill No. 216 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Coulter, Crum, Daniels, Dykstra, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Bardanouve, Bradford, Brenner, Cerovski, Conklin, Edwards, Emmons, Harper, Lewis, Lombardi, McOmber, Mernin, Moudree, Raundal, Shelden, Stimatz, Twedt. Total 17.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 315 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz,

Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Baldwin, Mr. Speaker. Total 83.

Noes: Barnard, Bradford, Burrell, Conklin, Edwards, Harper, Hazelbaker, Kvaalen, Smith. Total 9.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 288 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 182 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Nelstead. Total 1.

Excused: Abel. Total 1.

House Bill No. 131 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 66.

Noes: Aasheim, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Jensen (Mineral), Judge, Kolar, Lewis, Lombardi, McOmber, Mernin, Moudree, Raundal, Schwinden, Shelden, Stranahan, Teigen, Twedt. Total 27.

Absent or not voting: None.

Excused: Abel. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a committee of the Whole, for consideration of business under General Orders, under the rules of the previous meeting. Motion carried.

Moudree of Broadwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 442 be amended in section 2 by adding a sentence at the end of such section, reading as follows: "Such coupon or other similar device must identify the store from which distributed and can be redeemed only at such indicated store and not at any other place of business owned or operated by such merchant or person.";

Be further amended in section 4 on line 3 of the printed bill, which is line 20, page 2 of the original bill, by inserting the following words and figures after the word "dollars,": "plus one per centum (1%) of the gross receipts from the sale of merchandise from such store or place of business, during the calendar year preceding the year in which the application is made,"; and as amended, do pass.

That House Bill No. 410 do pass.

That consideration of Substitute House Bill No. 134 be passed for the day.

That consideration of House Bill No. 135 be passed for the day.

That House Bill No. 187 do pass.

That House Bill No. 193 do pass.

MOUDREE, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:30 a. m., Tuesday, February 7, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 7, 1961

House convened, pursuant to adjournment, at 9:30 a. m.

Mr Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, excused for personal business.

Mr. Speaker: We your Committee on Rules and Journal, having examined the Journal for the Thirty-sixth Legislative Day, find the same to be correct.

HAINES, Vice Chairman,

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Memorial No. 11, respectfully report as follows: That House Joint Memorial No. 11 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules and Journal, having had referred to it the propriety of the introduction of House Joint Memorials Nos. 16, 17 and 18, respectfully report as follows: That under Rule 36, Subsection 3, of the Rules of this House as they then and now stand, any memorial or resolution may be introduced in the House or considered by the House after a previous memorial or resolution containing the same subject matter or substantially the same subject matter and designed to accomplish the same purpose has been finally rejected by the House, and that therefore House Joint Memorials 16, 17 and 18 have been properly received by the House and the Committee recommends that House Joint Memorials 16, 17 and 18 be referred by the Speaker from the Committee on Rules to the proper standing committee in this House.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Ways and Means, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do pass.

SCHYE,
GUSTAFSON,
STEARNS,
PAGE,
HILLING,
JOHNSON,
CRUM,
LOMAN,
NELSTEAD.

Motion was made by Page for adoption of the Majority committee report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

HANKS,
CEROVSKI,
STRANAHAN,
MELCHER.

Substitute motion was made by Cеровski for adoption of the Minority committee report. Substitute motion failed to carry. Majority report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 190, 233, 244.

REED, Chairman.

I have examined House Bill No. 190 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 233 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

I have examined House Bill No. 244 introduced by me and find the same to be correct.

CONKLIN.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 190, 233, 244.

MOTIONS AND RESOLUTIONS

Mr. Speaker: I hereby move that House Rule 36 be amended in the first line of subsection 3 thereof by inserting after the word "bill" and before the word "shall" the following: ", memorials, or resolutions";

And further that Rule 36 be amended by striking subsection 2 in its entirety and inserting in lieu thereof the following: "No bills may be introduced after the 20th day and all bills must be received by the Chief Clerk of the House prior to 5:00 p.m. of the 20th day, excepting revenue bills, which may be introduced up to and including the 25th day, which bills also must be received by the Chief Clerk by 5:00 p.m. of the 25th day. Substitute bills for bills pending and appropriation bills are excluded from the provisions of this subsection of this rule."

ANDERSON (Yellowstone).

Motion carried.

Mr. Speaker: I hereby move to amend rule 47 of the Rules of the House by adding after the period in the last line the following: "No House bills, memorials or resolutions excepting appropriation bills shall be transmitted from the House to the Senate after the 45th day of the Session and no amendments shall be transmitted by the House to the Senate after the 55th day of the Session. Bills considered by joint conference committees are excepted from the provisions of this rule with respect to the time limitation for the transmission of bills, memorials or resolutions."

ANDERSON (Yellowstone).

Motion carried.

Motion was made by Anderson (Yellowstone) that House Joint Memorial No. 16 be taken from the Committee on Rules and Journal, and referred to the Committee on Business and Industry. Motion carried.

Motion was made by Anderson (Yellowstone) that House Joint Memorial No. 17 be taken from the Committee on Rules and Journal, and referred to the Committee on Business and Industry. Motion carried.

Motion was made by Anderson (Yellowstone) that House Joint Memorial No. 18 be taken from the Committee on Rules and Journal, and referred to the Committee on Public Health, Welfare and Safety. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Seymour of Cascade in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of House Bill No. 102 be indefinitely postponed.

That consideration of House Bill No. 147 be passed for the day.

That House Bill No. 140 be amended as follows:

Amend section 4 by striking out in line 8 of page 7 of the printed bill, being line 7, page 6 of original bill, the following words and figures: "twenty-eight dollars (\$28.00)" and inserting in lieu thereof the words and figures: "twenty-nine dollars (\$29.00)"

And further amend section 4 by striking out in lines 11 and 12 of page 7 of the printed bill, being line 10, page 6 of the original bill, the following words and figures: "thirty-one dollars (\$31.00)" and inserting in lieu thereof the words and figures: "thirty-two dollars (\$32.00)"

And further amend section 4 by striking out in line 15 of page 7 of the printed bill, line 13, page 6 of the original, the following words and figures: "thirty-five dollars (\$35.00)" and inserting in lieu thereof the words and figures: "thirty-six dollars (\$36.00)"

And further amend Section 4, by striking out in line 19 of page 8 of the printed bill, lines 16 and 17, page 6 of the original bill, the following words and figures: "(thirty-eight dollars (\$38.00))" and inserting in lieu thereof the words and figures: "forty dollars (\$40.00)"

And further amend section 4 by striking out in lines 22 and 23 of page 8 of the printed bill, lines 19 and 20, page 6 of the original, the following words and figures: "forty two dollars (\$42.00)" and inserting in lieu thereof the words and figures: "forty-five dollars (\$45.00)"

And further amend section 4 by striking out in lines 26 and 27 of page 8 of the printed bill, line 23, page 6 of the original, the following words and figures: "forty-seven dollars (\$47.00)" and inserting in lieu thereof the words and figures: "fifty dollars (\$50.00)"

And further amend section 4 by striking out in lines 48 and 49 of page 9 of the printed bill, line 11, page 7 of the original, the following words and figures: "twenty-eight dollars (\$28.00)" and inserting in lieu thereof the words and figures: "twenty-nine dollars (\$29.00)"

And further amend section 4 by striking out in lines 52 and 53 of page 9 of the printed bill, line 14, page 7 of the original, the following words and figures: "thirty-one dollars (\$31.00)" and inserting in lieu thereof the words and figures: "thirty-two dollars (\$32.00)"

And further amend section 4 by striking out in line 60 of page 9 of the printed bill, line 20, page 7 of the original, the following words and figures: "twenty-eight dollars (\$28.00)" and inserting in lieu thereof the words and figures: "twenty-nine dollars (\$29.00) per week"

And further amend section 4 by striking out in lines 63 and 64 of page 9 of the printed bill, line 23, page 7 of the original, the following words and figures: "thirty-one dollars (\$31.00)" and inserting in lieu thereof the words and figures: "thirty-two dollars (\$32.00) per week"

And further amend section 4 by striking out in line 67 of page 9 of the printed bill, lines 26 and 27, page 7 of the original, the following words and figures: "thirty-eight dollars (\$38.00)" and inserting in lieu thereof the words and figures: "forty dollars (\$40.00)"

And further amend section 4 by striking out in line 74 of page 9 of the printed bill, line 32 of page 7 and line 1 of page 8 of the original bill, the following words and figures: "forty-seven dollars (\$47.00)" and inserting in lieu thereof the words and figures: "fifty dollars (\$50.00)"

And further amend by amending section 5 by striking out in lines 11 and 12 of page 10 of the printed bill, line 16, page 8 of the original, the following words and figures: "twenty-eight dollars (\$28.00)" and inserting in lieu thereof the words and figures: "twenty-nine dollars (\$29.00)"

And further amend section 5 by striking out in line 17 of page 10 of the printed bill, line 21, page 8 of the original, the following words and figures: "thirty-one dollars (\$31.00)" and inserting in lieu thereof the words and figures: "thirty-two dollars (\$32.00)"

And further amend section 5 by striking out in line 23 of page 10 and in line 24 of page 11 of the printed bill, line 27, page 8 of the original, the following words and figures: "thirty-five dollars (\$35.00)" and inserting in lieu thereof the words and figures: "thirty-six dollars (\$36.00)"

And further amend section 5 by striking out in line 29 of page 11 of the printed bill, line 32, page 8 and line 1, page 9 of the original bill, the following words and figures: "thirty-eight dollars (\$38.00)" and inserting in lieu thereof the words and figures: "forty dollars (\$40.00)"

And further amend section 5 by striking out in line 35 of page 11 of the printed bill, lines 5 and 6, page 9 of the original, the following words and figures: "forty-two dollars (\$42.00)" and inserting in lieu thereof the words and figures: "forty-five dollars (\$45.00)"

And further amend section 5 by striking out in lines 40 and 41 of page 11 of the printed bill, line 11, page 9 of the original, the following words and figures: "forty-seven dollars (\$47.00)" and inserting in lieu thereof the words and figures: "fifty dollars (\$50.00)"

And as amended, do pass.

That Substitute House Bill No. 134 be placed on General Orders following House Bill No. 71.

That House Bill No. 135 be placed on General Orders following House Bill No. 71.

That House Bill No. 264 do pass.

That further consideration of House Bill No. 335 be indefinitely postponed.

That Substitute House Bill No. 274 do pass.

That House Bill No. 179 do pass.

That House Bill No. 403 be amended in the title by striking out in line 2 of the original bill, beginning with the word "AS" and ending on line 4 with the words "sub-section 11"; and inserting in lieu thereof the words and figures: "as last amended by section 1, chapter 168, Laws of 1959";

Be amended further in section 1 by striking out in line 11 of the original bill, the following words and figures: "as finally amended in chapter 228 of the Session Laws of 1955"; and inserting in lieu thereof the words and figures: "as last amended by section 1, chapter 168, Laws of 1959";

Be amended further in section 1 by striking out lines 23 through 32 on page 4, and lines 1 through 7 on page 5, of the original bill, and inserting in lieu thereof the following words and figures: "24. To provide for a system of bookkeeping and annual auditing of extracurricular funds; such bookkeeping system to be recommended by the state examiner and such audit to be made by a qualified accountant or by the state examiner if so requested. If the audit is made by the state examiner, then, there shall upon completion of the audit, be paid a fee of sixty dollars (\$60.00) per day per man, into the state treasury, and the state treasurer shall accredit such payment to the special examiner's fund. A certified copy

of such audit shall be filed with the county superintendent of schools, and notice of such filing and the availability of the audit to public inspection, shall be published by said superintendent in the next publication of a newspaper published within the district, or, in case there be no paper published within the district, in a newspaper published within the county, if any, and if none within the county then in the nearest newspaper published in an adjoining county and payment of such publication and audit shall be made from the extracurricular funds or from school district funds, as the board of trustees may decide."

Be amended further in section 4 by striking that section in its entirety; and as so amended that House Bill No. 403 do pass.

That House Bill No. 404 be amended in section 3 by striking that section in its entirety; and as amended, do pass.

SEYMOUR, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 179, 187, 264, 442, 410, 193, and Substitute House Bill No. 274.

REED, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 be amended as follows:

In line 2 of section 1 of page 2 of the original bill following the word "be" and preceding the word "two" by inserting the words "(matter deleted)"

In line 5 of section 1 of page 2 of the original bill following the word "for" and preceding the word "either" by inserting the words "(matter deleted)"

And be further amended in lines 5, 6, 7, 8 and 9 of section 1 of page 2 of the original bill following the word "for" by underlining the following words, "either one (1) or two (2) years in order to provide for terms with a minimum number of terms expiring in any single year; provided, however, any citizen appointee may be removed from office by a majority vote of the governing body of the governmental unit that appointed such member."

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 be amended as follows:

In line 22 of section 1 of page 1 of the original bill following the word "by" and preceding the word "such" by inserting the word "each"

In line 31 of section 1 of page 1 of the original bill following the word "commissioners" and preceding the word "shall" by inserting the words "(matter deleted)"

And be further amended,

In line 1 of section 1 of page 2 of the original bill following the word "of" and preceding the word "the" by inserting the words "(matter deleted)"

In line 1 of section 1 of page 2 of the original bill following the word "plan" and preceding the word "as" by inserting the words "(matter deleted)"

And be further amended,

In line 2 of section 1 of page 2 of the original bill following the word "of" by underlining the following words, "section thirty (30)"

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 do not pass.

KVAALLEN, Chairman.

Motion was made by Kvaalen for adoption of the committee report. Substitute motion was made by Page that House Bill No. 29 be printed and placed on General Orders. Substitute motion failed to carry. Committee report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 do not pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 do not pass.

WRIGHT, Chairman.

Motion was made by Wright for adoption of the committee report. Substitute motion was made by Schwinden that House Bill No. 33 be printed and placed on General Orders. After debate, Emmons moved for the previous question. Motion carried. Spahr requested a Call of the House and that a roll call vote be recorded on the substitute motion. Sufficient seconds arose and a roll call vote taken as follows:

Ayes: Aasheim, Bardanoue, Barnard, Blewett, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Hanks, Harper, Healy, Jensen (Mineral), Judge, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, McOmber, Mernin, Moudree, Nichols, Picard, Reed, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 37.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Loman, Lundgren, Mathers, Murray, Nelstead, Page, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 54.

Absent or not voting: Bashor, Melcher. Total 2.

Excused: Abel. Total 1.

Substitute motion failed to carry. Committee report adopted.

Mr. Speaker: We your Committee on Bills, to whom was referred House Bill No. 89, beg leave to report that the same has this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following changes in Legislative Payroll:

Mary Saginaw, added Typist	January 30, 1961
Maxine M. Clark, added Typist	January 30, 1961
Patricia A. Dorrington, added Typist	January 31, 1961

HAZELBAKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 234, 83, 145.

REED, Chairman.

I have examined House Bill No. 234 introduced by me and find the same to be correct.

DYKSTRA.

I have examined House Bill No. 83 introduced by me and find the same to be correct.

BUSH.

I have examined House Bill No. 145 introduced by me and find the same to be correct.

DYKSTRA.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 234, 83 and 145.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Resolution No. 6.

REED, Chairman.

I have examined House Joint Resolution No. 6 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

The Speaker signed the following bill in open session, the title having first been read: House Joint Resolution No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Higham that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 215. Motion carried.

Motion was made by Anderson (Yellowstone) that House Bill No. 215 be rereferred to the Committee on State Administration. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 410 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Hanks, Mr. Speaker. Total 90.

Noes: Eskildsen. Total 1.

Absent or not voting: Hazelbaker, Raundal. Total 2.

Excused: Abel. Total 1.

House Bill No. 193, was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Edwards, Nichols, Stranahan. Total 3.

Absent or not voting: Mathers, Raundal. Total 2.

Excused: Abel. Total 1.

House Bill No. 179 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Hibbard, Raundal. Total 2.

Excused: Abel. Total 1.

House Bill No. 187 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bashor, Beam, Bentz, Bush, Crum, Daniels, Dykstra, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Laas, Lewis, Loman, Lombardi, Lucas, Mathers, Melcher, Mernin, Nelstead, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Spilde, Stearns, Sullivan (Deer Lodge), Swanz, Thompson, Wayrynen, Weeks. Total 55.

Noes: Aasheim, Asbjornson, Bardanouve, Barnard, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Edwards, Etchart, Hall, Hazelbaker, Kolar, Kvaalen, Leuthold, Lord, Lundgren, McOmber, Moudree, Murray, Nichols, Raundal, Reinecke, Schwinden, Shelden, Smith, Spahr, Stimatz, Stranahan, Teigen, Twedt, Wright, Mr. Speaker. Total 37.

Absent or not voting: Sullivan (Silver Bow). Total 1.

Excused: Abel. Total 1.

House Bill No. 264 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 84.

Noes: Barnard, Eskildsen, Etchart, Jensen (Lake), Schwinden, Stranahan, Wright. Total 7.

Absent or not voting: Lord, Rygg. Total 2.

Excused: Abel. Total 1.

Substitute House Bill No. 274 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison),

son), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Mr. Speaker. Total 71.

Noes: Bardanouve, Barnard, Brenner, Cerovski, Emmons, Eskildsen, Harper, Laas, Lewis, Lombardi, Lord, McOmber, Mernin, Moudree, Raundal, Schwinden, Shelden, Teigen, Twedt, Wayrynen, Wright. Total 21.

Absent or not voting: Edwards. Total 1.

Excused: Abel. Total 1.

House Bill No. 442 was passed by the following vote:

Ayes: Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Keller, Kolar, Laas, Leuthold, Lewis, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Page, Pierce, Regan, Reinecke, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 57.

Noes Aasheim, Adams, Anderson (Yellowstone), Bradford, Brenner, Burrell, Daniels, Dykstra, Edwards, Emmons, Etchart, Haughey, Healy, Hibbard, Jensen (Lake), Judge, Kvaalen, Loman, Lombardi, Mernin, Moudree, Nichols, Picard, Reed, Rygg, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Wright. Total 34.

Absent or not voting: Harper, Raundal. Total 2.

Excused: Abel. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Seymour of Cascade in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 153 be passed for the day.

That consideration of Substitute House Bill No. 257 be passed for the day.

That House Bill No. 323 do pass.

That House Bill No. 358 do pass.

SEYMOUR, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:30 a. m., Wednesday, February 8, 1961. Motion carried. House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 8, 1961

House convened, pursuant to adjournment, at 9:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, excused for personal business.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 227 and House Joint Memorial No. 11, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do not pass, but that

Substitute House Bill No. 79, introduced by the Fish and Game Committee: A bill for an act entitled: "An act relating to restriction on taking fish and game; amending section 26-307, Revised Codes of Montana 1947, to provide that brown and black bear, in addition to grizzly bear, may be killed as trophy animals, so that only the head or hide of such bear need be removed and taken."

Do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do not pass, but that

Substitute House Bill No. 429, introduced by the Committee on Fish and Game: "A bill for an act entitled: "An act relating to fishing licenses: creating a section to be known as section 26-202.2, R. C. M. 1947, to permit patients of Fort Sheridan veterans administration hospital in Wyoming to fish without a class A or B license; providing for distribution and recovery of special licenses issued for this purpose; containing an effective date."

Do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 be amended as follows:

In line 20, page 1 of the original bill, by striking out following the word "machinery" the word "suspicioned" and inserting in lieu thereof the word "suspected";

In line 31, page 1 of the original bill, by striking the line its entirety and strike out in line 32 the following: "to prohibit the entry of" and insert in lieu thereof the following: "It is unlawful to transport into Montana";

In line 8 of the original bill, page 2, following the word "tors" by striking the words "near the major" and inserting in lieu thereof the following: "wherever feasible and within the limits of available funds, inspectors at designated";

In line 20, page 2 of the original bill following the words "highways at" by striking the words "the major" and inserting in lieu thereof the word "designated";

In section 1, page 4, by adding another paragraph following line 5:

"The provisions of this act shall not apply to any seed shipped into the State of Montana in compliance with the federal seed act and any rules or regulations issued thereunder."

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 do not pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 be amended as follows:

By striking in line 10, page 1, of the title of the original bill, following the word "tract", the period and quotes (") and inserting in lieu thereof a semicolon (;) and adding the following: "repealing all acts and parts of acts in conflict herewith; and providing an effective date.";

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do not pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation,

having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do pass.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433, do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 be amended as follows:

In line 12, page 2 of the original bill following the word "taxation" insert the following: "during the calendar year in which the said original application for title is made";

In line 15, page 2 of the original bill, following the word "any" insert the word "such";

And as so amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 be amended as follows:

In section 7, page 6, line 11 of the printed bill and page 5, line 9 of the original bill by adding after the figures "1961", the word "who";

In Section 8, page 6, line 7 of the printed bill and page 5 in line 20 of the original bill after the comma following the word "otherwise" the word "is" should be deleted and the word "are" should be substituted;

In section 12 on page 8, line 2 of the printed bill and on page 6, line 24 of the original bill by adding after the comma following the word "service" the words "a member shall receive";

In section 24, page 12, line 2 of the printed bill by striking out the word "of" after the word "member" and substituting the word "or";

In section 9, page 7, line 2 of the printed bill and page 5, line 30 of the original bill by striking out the word "seven" and by substituting the word "nine" in lieu thereof;

In section 9, page 7, line 3 of the printed bill and page 5, line 31 of the

original bill by striking out the figure "7" and inserting in lieu thereof the figure "9";

And as amended, do pass.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be not concurred in, but that

House Substitute for Senate Bill No. 102, introduced by the Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-104, Revised Codes of Montana, 1947, as amended by chapter 36, Laws of Montana, 1959, and chapter 96, Laws of Montana, 1959, to authorize the fish and game commission to issue special non-resident antelope and non-resident deer licenses in areas where complaints have been received by the fish and game commission, and amending section 26-202.1, Revised Codes of Montana, 1947 as amended by chapter 36, Laws of Montana, 1959, to provide for a classification and fees for such non-resident antelope and non-resident deer licenses; repealing all acts and parts of acts in conflict herewith.";

Be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do not pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do not pass.

HAUGHEY, Chairman.

Motion was made by Haughey for adoption of the committee report.

Substitute motion was made by Sullivan (Silver Bow) that House Bill No. 381 be printed and placed on General Orders. After debate Coulter moved the previous question. Motion carried. Substitute motion by Sullivan carried.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 88, respectfully report as follows: That House Bill No. 88 be amended as follows:

In the title, on line 8 of the original bill, following the word "that" by deleting the word and figure "ten (10)" and inserting in lieu thereof the word and figure "six (6)";

In section 9, line 7, page 2, of the original bill, following the word "than" by deleting the word and figure "ten (10)" and inserting in lieu thereof the word and figure "six (6)";

And as amended, do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 be amended as follows:

In the title on line 6 of the original bill, following the words "Columbus' day" by striking the words "veterans' day";

In section 1, line 18 of the original bill, following the words and punctuation (Labor day); insert the following words and punctuation: "the eleventh day of November (veterans' day);"

And as amended, do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269, do not pass, but that

Substitute House Bill No. 269, a Bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; and providing for an increase in salaries; and containing a repealing clause."

Do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, the majority of your Committee on Education, hav-

ing had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended as follows:

Amend in the title by striking the word "A" in line 7, and deleting the words "committee in each county" in line 8, and inserting in lieu thereof the word "committees";

And be further amended in section 8 by striking out in lines 26 and 27 of page 6 of the original bill the words "Not later than the 20th day of April, 1961, each county superintendent of schools" and inserting in lieu thereof the words "When petitions from fifty percent (50%) or more of the school districts in a county, each petition containing the names of at least ten percent (10%) of the qualified voters in each district, have been filed with the county superintendent of schools, the superintendent";

And be further amended in section 8 by striking out in lines 1 and 2 of page 7 of the original bill the words "later than the first day of May, 1961." and inserting in lieu thereof the words "more than thirty (30) days after the county superintendent has received the prescribed number of petitions."

And be further amended in line 21, page 11, by changing the word "commission" to "committee";

And be further amended in line 10, page 12, by inserting after the word "electors" the words "in a majority of the school districts in the county.";

And be further amended by adding a new section, "Section 33. Any school which is in operation at the time of the creation of a school district according to the provisions of this act, and which subsequently comes under the administrative control of a board of trustees created according to this act, shall continue in operation without change in its status unless the entire board of trustees shall be unanimous in determining otherwise.";

And be further amended by renumbering the present section 33 as section 34;

And as so amended, do pass.

HIGHAM,
ROSELL,
LEUTHOLD,
REGAN,
AASHEIM,
STIMATZ,
KVAALLEN.

Motion was made by Kvaalen for adoption of the majority report.

Mr. Speaker: We, the minority of your Committee on Education, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended as follows:

Amend in the title by striking the word "A" in line 7, and deleting the words "committee in each county" in line 8, and inserting in lieu thereof the word "committees";

And be further amended in section 8 by striking out in lines 26 and 27 of page 6 of the original bill the words "Not later than the 20th day of April, 1961, each county superintendent of schools" and inserting in lieu thereof the words "When petitions from fifty percent (50%) or more of the school districts in a county, each petition containing the names of at least ten percent (10%) of the qualified voters in each district, have been filed with the county superintendent of schools, the superintendent";

And be further amended in section 8 by striking out in lines 1 and 2 of page 7 of the original bill the words "later than the first day of May,

1961." and inserting in lieu thereof the words "more than thirty (30) days after the county superintendent has received the prescribed number of petitions.";

And be further amended in line 21, page 11, by changing the word "commission" to "committee";

And be further amended in line 10, page 12, by inserting after the word "electors" the words "in a majority of the school districts in the county";

And be further amended by adding a new section, "Section 33. Any school which is in operation at the time of the creation of a school district according to the provisions of this act, and which subsequently comes under the administrative control of a board of trustees created according to this act, shall continue in operation without change in its status unless the entire board of trustees shall be unanimous in determining otherwise.";

And be further amended by renumbering the present section 33 as section 34;

And as so amended, do not pass.

GUSTAFSON,
WRIGHT,
BARNARD,
LUNDGREN,
KOLAR.

Substitute motion was made by Gustafson for adoption of the minority committee report. After debate Haughey moved for the previous question. Motion carried. Substitute motion by Gustafson failed to carry. Majority report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 do not pass, but that

Substitute House Bill No. 203, a bill for an act entitled: "An act providing for the application, qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by non-residents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission; prescribing fees and their disposal; providing penalties for the violation of this act or of any rule or regulations issued by the commission; containing a severability clause; repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by chapter 129, Laws of 1957, chapter 130, Laws of 1957, chapter 131, Laws of 1957, and chapter 132, Laws of 1957; and containing an effective date for this act."

Do pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do not pass, but that

Substitute House Bill No. 270, introduced by Committee on Judiciary: A bill for an act entitled: "The realty certificate act"; providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain informa-

tion relating to the property transferred, and amending section 16-2915, R. C. M. 1947."

Do pass.

HAUGHEY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND THE SENATE

February 6, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 15—Introduced by Keller, Crum and Gustafson.

House Bill No. 109—Introduced by Stranahan, et al.

Very truly yours,

DONALD G. NUTTER,
Governor.

February 1, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Joint Memorial No. 3—Introduced by Nichols.

House Joint Memorial No. 6—Introduced by Loman.

House Bill No. 56—Introduced by Gustafson.

Very truly yours,

DONALD G. NUTTER,
Governor.

January 27, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 13—Introduced by Nichols, et al.

House Bill No. 14—Introduced by Keller, Crum and Gustafson.

House Bill No. 25—Introduced by Keller, Crum and Gustafson.

House Bill No. 16—Introduced by Keller, Crum and Gustafson.

House Bill No. 17—Introduced by Keller, Crum and Gustafson.

House Bill No. 18—Introduced by Keller, Crum and Gustafson.

House Bill No. 19—Introduced by Keller, Crum and Gustafson.

Very truly yours,

DONALD G. NUTTER,
Governor.

February 7, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 112, introduced by Reinecke, Reed, Leuthold and Spahr.

Substitute House Bill No. 42, introduced by Committee on Townships and Counties.

House Bill No. 119, introduced by Hanks and Broeder.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 7, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 316, introduced by Page.

House Bill No. 7, introduced by Nichols.

House Bill No. 180, introduced by Hilling, Beam, Pierce, Goan, Crum, Haughey, Rosell, Anderson (Yellowstone).

House Bill No. 219, introduced by Stimatz and Mernin.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 7, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Substitute for Senate Bill No. 130, introduced by Committee on Highways and Transportation.

Senate Bill No. 5, introduced by Mackay, Groff and Cole.

Senate Bill No. 6, introduced by Mackay, Groff and Cole.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Page that House Bill No. 348 be taken from the Committee on Ways and Means and referred to Judiciary Committee. Motion carried.

Motion was made by Goan that House Bill No. 153 be taken from General Orders and re-referred to Committee on Highways. Motion carried.

Motion was made by Schwinden that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 33. Motion was made by Hazelbaker that the motion by Schwinden be tabled. Coulter requested a Call of the House and a sufficient number of seconds arose. After a roll call and progress being reported, the Call of the House was dispensed with. Coulter withdrew his request for a roll call vote, and motion by Schwinden carried.

Motion was made by Schwinden that House Bill No. 33 be printed and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Substitute House Bill No. 269, introduced by Committee on Townships and Counties: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 66 of the Montana Session Laws, 1959, relating to salaries of county officers; and providing for an increase in salaries; and containing a repealing clause." Referred to Committee on Bills.

Substitute House Bill No. 270, introduced by Judiciary Committee: A bill for an act entitled: "The realty certificate act"; providing that an instrument transferring a fee simple real property interest filed for recording shall be accompanied by a certificate containing certain information relating to the property transferred, and amending section 16-2915, R. C. M. 1947." Referred to Committee on Bills.

Substitute House Bill No. 203, introduced by Committee on Business and Industry: A bill for an act entitled: "An act providing for the application, qualifications, bonding, licensing, supervision and regulation of real estate brokers and real estate salesmen; providing for a state real estate commission and defining its powers and duties; providing reciprocity of licenses, examination and consent to suit by non-residents; providing grounds for denial, revocation or suspension of licenses; providing hearing procedure; providing for appeals from decisions of the commission; prescribing fees and their disposal; providing penalties for the violation of this act or any rule or regulation issued by the commission; containing a severability clause; repealing sections 66-1901 through and including 66-1923, Revised Codes of Montana, 1947, as amended by chapter 129, Laws of 1957, chapter 130, Laws of 1957, chapter 131, Laws of 1957, and chapter 132, Laws of 1957; and containing an effective date for this act." Referred to Committee on Bills.

Senate Bill No. 5, introduced by Mackay, Groff and Cole: A bill for an act entitled: "An act to provide that the controller shall be appointed by the governor, be responsible to the governor and serve at the governor's pleasure and to delete reference to the salary of the state controller by amending sections 82-106 and 82-107, R. C. M. 1947." Referred to Committee on State Administration.

Senate Bill No. 6, introduced by Mackay, Groff and Cole: A bill for an act entitled: "An act to provide that the governor may authorize an expenditure during the first fiscal year of the biennium from the appropriation for the second fiscal year of the biennium if he finds that the amount actually appropriated for the first fiscal year of the biennium is insufficient due to an unforeseen and unanticipated emergency; to amend section 79-901, R. C. M. 1947, by deleting reference to the board of examiners' power to decrease appropriations; to amend section 79-904 by deleting reference to section 79-902; and to repeal sections 79-902 and 79-903, R. C. M. 1947." Referred to Committee on State Administration.

Senate Substitute for Senate Bill No. 130, introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to pro-

vide the boards of county commissioners with secondary road information." Referred to Committee on Highways.

Substitute House Bill No. 79, introduced by Committee on Fish and Game: A bill for an act entitled: "An act relating to restrictions on taking fish and game; amending section 26-307, Revised Codes of Montana, 1947, to provide that brown and black bear, in addition to grizzly bear, may be killed as trophy animals, so that only the head or hide of such bear need be removed and taken." Referred to Committee on Bills.

Substitute House Bill No. 429, introduced by Committee on Fish and Game: A bill for an act entitled: "An act relating to fishing licenses; creating a section to be known as section 26-202.2, R. C. M. 1947, to permit patients of Fort Sheridan veterans administration hospital in Wyoming to fish without a class A or B license; providing for distribution and recovery of special licenses issued for this purpose; containing an effective date." Referred to Committee on Bills.

House Substitute for Senate Bill No. 102, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-104, Revised Codes of Montana, 1947, as amended by chapter 36, Laws of Montana, 1959, and chapter 96, Laws of Montana, 1959, to authorize the fish and game commission to issue special non-resident antelope and non-resident deer licenses in areas where complaints have been received by the fish and game commission, and amending section 26-202.1, Revised Codes of Montana, 1947, as amended by chapter 36, Laws of Montana, 1959, to provide for a classification and fees for such non-resident antelope and non-resident deer licenses; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Substitute House Bill No. 257 be passed for the day.

That consideration of House Bill No. 147 be passed for the day.

That House Bill No. 414 be amended in the title after the last word thereof by striking out the period and quotation marks and adding in lieu thereof a semicolon and the words and punctuation: "and repealing all acts and parts of acts in conflict herewith."

Be further amended in section 1 on line 18, page 2 of the printed bill, which is line 2, page 2 of the original bill, by inserting after the word "delinquent" the words and punctuation: "(matter deleted)";

Be further amended in section 1 on line 20, page 2 of the printed bill, which is line 5, page 2 of the original bill, following the period, by adding the words "When the court retains jurisdiction, the judge shall have discretion as to the place of detention.";

Be further amended by adding section 2 to read as follows: "All acts

and parts of acts in conflict herewith are hereby repealed." And as amended that House Bill No. 414 do pass.

That House Bill No. 241 do pass.

That Substitute House Bill No. 65 do pass.

That House Bill No. 71 do pass.

DYKSTRA, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 404, 403, 358, 323 and 140.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do not pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 be amended as follows:

Amend in section 1, line 16 of the original bill by striking the words and figures "July 1, 1961" and inserting in lieu thereof the words and figures "June 30, 1961"; and that House Bill No. 243 be further amended in section 1, line 26 of the original bill, by deleting the quotation marks after the word "service", and by adding and inserting the following language after the word "service"; "That every duly confirmed member of the said police departments shall be paid at least the minimum monthly wage herein provided, according to seniority, from and after June 30, 1961."

And as amended, do not pass.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Labor and Compensation, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do not pass.

GOAN,
THOMPSON,
KOLAR,
WEEKS,
SPILDE,
RYGG,
HAUGHEY,
BLEWETT,
BENTZ.

Motion was made by Bentz for adoption of the Majority committee report.

Mr. Speaker: We, the Minority of your Committee on Labor and Compensation, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do pass.

MERNIN,
LOMBARDI,
EMMONS,
SHELDEN,
HARPER,
JENSEN (Mineral).

Substitute motion was made by Mernin for adoption of the Minority report. Substitute motion failed to carry. Majority report adopted.

Mr. Speaker: We, the Majority of your Committee on Labor and Compensation, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do not pass.

GOAN,
KOLAR,
WEEKS,
SPILDE,
THOMPSON,
HAUGHEY,
BLEWETT,
BENTZ.

Motion was made by Bentz for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Labor and Compensation, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do pass.

MERNIN,
LOMBARDI,
EMMONS,
SHELDEN,
HARPER,
JENSEN (Mineral).

Substitute motion was made by Mernin for adoption of the Minority committee report. Lombardi requested a roll call vote, the results thereof to be recorded in the Journal. There being sufficient seconds, a roll call vote was taken as follows:

Ayes: Aasheim, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Daniels, Emmons, Hanks, Harper, Healy, Jensen (Mineral), Jensen (Lake), Lewis, Lombardi, Lord, Melcher, Mernin, Moudree, Picard, Raundal, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt. Total 29.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 57.

Absent or not voting: Broeder, Coulter, Eskildsen, Judge, Sullivan (Silver Bow), Wayrynen. Total 6.

Excused: Abel, Burrell. Total 2.

Substitute motion failed to carry. Majority report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Conklin that the House reconsider its previous action in indefinitely postponing consideration of House Bill No. 102. Motion lost.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 445, introduced by Pierce, Leuthold, Kolar, Goan, Hawks, Higham, Schwinden, Bardanouve: A bill for an act entitled: "An act to appropriate money for the purpose of acquiring, operating and maintaining a nutritional beef cattle research program as a replacement program for the dairy research program discontinued by the Agricultural Research Service of the United States Department of Agriculture to be located at the Huntley Branch Experiment Station of the Montana Agricultural Experiment Station of the Montana State College of the University of Montana for the period beginning July 1, 1961 and ending June 30, 1963; repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Appropriations Committee.

House Joint Resolution No. 13, introduced by Cerovski: A Joint Resolution of the House of Representatives and Senate of the State of Montana authorizing and directing the State Land Board to sell parts of the State Prison Farm. Referred to Committee on State Administration.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 404 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falken-

stern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Hazelbaker, Laas, Mathers, Nelstead, Spilde. Total 5.

Excused: Abel. Total 1.

House Bill No. 403 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Hazelbaker, Spilde. Total 2.

Excused: Abel. Total 1.

House Bill No. 358 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Spilde. Total 1.

Excused: Abel. Total 1.

House Bill No. 323 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy,

Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Harper. Total 1.

Absent or not voting: Picard, Spilde. Total 2.

Excused: Abel. Total 1.

House Bill No. 140 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Emmons, Harper, Lombardi, Picard. Total 4.

Absent or not voting: Daniels, Spilde. Total 2.

Excused: Abel. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Dykstra of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 134 be amended in the title by striking out in lines 8 to 10 of the original bill, which is lines 6 to 10 in the printed bill, the following words and figures: "To amend section 93-9904 of the Revised Codes of Montana, 1947, by providing that controlled access highways shall not be subject to intersections, crossings, or uses in common:";

Be amended further in Section 2 by striking out that section in its entirety, and renumbering all subsequent sections of the bill so as to conform to proper numerical sequence;

Be amended further in Section 7 in line 3, page 9 of the printed bill, which is line 11, page 7 of the original bill, by inserting after the word "commissioners" and before the word "Immediately" the words "(matter deleted)";

Be amended further in Section 8 by striking out in line 21, page 13 of the printed bill, which is line 23, page 10 of the original bill, the word "of" which appears before the words "(matter deleted)" and inserting in lieu thereof the word "or";

Be amended further in Section 11 by striking out in line 6, page 15 of the printed bill, which is line 31, page 12 of the original bill, the word "has" and inserting in lieu thereof the word "have";

Be amended further in Section 11 by striking out in line 66, page 17 of the printed bill, which is line 25, page 14 of the original bill, before the word "final", the word "the" and inserting in lieu thereof the word "his";

And as amended, that Substitute House Bill No. 134 do pass.

That House Bill No. 135 be amended in Section 1, line 26, page 3 of the printed bill, which is line 26, page 2 of the original bill, by adding after the word "buildings," the following words: "rest areas, informational sites,";

Be amended further in Section 1 by striking out in line 27, page 3 of the printed bill, which is line 27, page 2 of the original bill, the following words: "rest areas, informational sites and";

Be amended further in Section 1 by striking out in line 28, page 3 of the printed bill, which is line 28, page 2 of the original bill, the period after the word "highway" and inserting in lieu thereof a comma and the following words: "provided that the same shall not be acquired for such a purpose by condemnation procedures.";

And as amended, that House Bill No. 135 do pass.

That Substitute House Bill No. 90 do pass.

That House Bill No. 223 be amended in Section 4, line 5, page 2 of the printed bill, which is line 20, page 2 of the original bill, by inserting after the word "shall" and before the word "order" the word "forthwith";

And as amended, do pass.

That House Bill No. 224 be amended in the printed bill only, in the third line of the title by deleting the figures "\$130,000" and inserting in lieu thereof the figures "\$100,000";

And as amended, do pass.

That further consideration of House Bill No. 231 be indefinitely postponed.

That House Bill No. 94 do pass.

That Senate Amendments to House Bill No. 111 be concurred in.

DYKSTRA, Chairman.

Motion was made by Dykstra for adoption of the Committee of the Whole report. Substitute motion was made by Blewett that House Bill No. 231 be segregated from the Committee report. Substitute motion carried. Report adopted, as amended.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 181, 266, 388, Substitute House Bills Nos. 318 and 401, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Jensen (Lake) that the Rules be suspended for the purpose of reconsidering House Bill No. 102. Motion carried by the required two-thirds vote.

Jensen (Lake) moved that the House reconsider its previous action in

adopting the Committee of the Whole report which included House Bill No. 102. Motion carried.

Jensen (Lake) moved that House Bill No. 102 be segregated from the Committee of the Whole report of February 7, 1961. Motion carried.

Murray moved that House Bill No. 335 be segregated from the Committee of the Whole report of February 7, 1961. Motion carried.

Jensen (Lake) moved the Committee of the Whole report be readopted, as amended. Motion carried.

The Speaker signed Senate Bill No. 28 in open session, the title having first been read.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:30 a. m., Thursday, February 9, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

THIRTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 9, 1961

House convened, pursuant to adjournment, at 9:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 71, 241, 414, 224, 135, 94 and Substitute House Bills Nos. 90 and 65.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 36, 92, 168, 192, 283, 322, 352, 353, 355, 356, 384, 386, 37, 232, 320, 354, 363, 393, 394, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 be amended as follows:

In section 7, line 10, page 4, of the original bill, following the words "no longer exists" delete the words on lines 10, 11, 12, and 13 in their entirety and insert in lieu thereof the following words and punctuation: "(matter deleted) but in no event shall such individual family housing unit in any such housing facility be re-rented once it shall become vacant on or following June 1, 1962, and provided further that in no event shall such housing facility be operated and maintained by any local agency after the first day of October, 1962."

And as amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 be amended as follows:

Amend the title by striking out in lines 4 and 5 of page 2 of the original bill, following the semi-colon after the word "payment", the following words and figures: "repealing section 1 of chapter 251 of the Laws of 1955" and inserting in lieu thereof the words "repealing section 53-615.1 of the Revised Codes of Montana, 1947, as last amended by section 1 of chapter 211 of the Laws of 1959."

Amend by striking out in line 5, page 3, following the word "goods" the words "motor trucks and truck—" and striking lines 6, 7, and 8 in their entirety and inserting in lieu thereof the words: "motor trucks and truck-tractors owned by contractors used exclusively for hauling contractors' equipment and supplies, and motor trucks and truck-tractors attached to lowboy trailers used exclusively for hauling contractors' equipment and supplies"

And further amend by striking lines 1 and 2 on page 8 of the original bill and inserting in lieu thereof the following: "Section 2. That section 53-615.1 of the Revised Codes of Montana, 1947, as last amended by section 1 of chapter 211 of the Laws of 1959 be, and the same is, hereby repealed."

And as amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 be amended as follows:

In line 17 of paragraph (2) in section 1 of page 2 of the original bill following the word "liability" by deleting the "." and inserting in lieu thereof the following: "; but shall include interest exempt from federal income tax."

In the title in line 7 of page 1 of the original bill following the word "tax" by deleting the quotation mark and inserting in lieu thereof the following: "; and containing an effective date."

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 9, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 113, introduced by Bovey, Mackay.

Senate Bill No. 62 introduced by DeWolfe, Nixon, Cotton, Nees, Morrow, Schoonover, Ullom, Durkee.

Senate Bill No. 157 introduced by Schoonover, DeWolfe.

Senate Bill No. 204 introduced by Harken and Hibbs.

Senate Bill No. 8 introduced by Cumming, James, Beley, Durkee.

Senate Bill No. 67 introduced by Hibbs, Cumming, Durkee.

Senate Bill No. 163 introduced by Siderius, Brenner, McKeon, Bovey.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 8, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 110, introduced by Stranahan, Asbjornson, Eskildsen.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Nichols that House Bill No. 256 be taken from the Committee on Appropriations and referred to the Judiciary Committee. Motion carried.

Motion was made by Daniels that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 242. Motion carried.

Motion was made by Daniels that House Bill No. 242 be rereferred to the Committee on Agriculture and Irrigation. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

Senate Bill No. 113, introduced by Bovey, Mackay: A bill for an act entitled: "An act to provide for the restoration, preservation, and maintenance of the old governor's mansion, Helena, Montana, as a period home museum and to vest control of the old governor's mansion in the board of trustees of the Historical Society of the State of Montana, under certain conditions; authorize the said board to collect fees and charges for the use of said mansion, and deposit the same to the credit of the 'old governor's mansion fund' and providing this act shall be in force and effect after its passage and approval until March 1, 1963." Referred to Committee on State Administration.

Senate Bill No. 62, introduced by DeWolfe, Nixon, Cotton, Nees, Morrow, Schoonover, Ullom, Durkee: A bill for an act entitled: "An act to allow the board of trustees of any organized and legal school district, may, in their discretion, request the use of federal reimbursement of money in lieu of taxes to school districts to be allocated to the school district lunch fund for eligible indigent enrolled pupils who are part of the program; providing for the certification of federally connected indigent pupils by the county department of welfare, county superintendent of schools, county health department and school district authorized representative, or the board of trustees, prescribing the basis for allocation of federal reimbursement of funds, and the allocation thereof by the county treasurer; providing for an effective date and a repealing clause." Referred to Committee on Education.

Senate Bill No. 157, introduced by Schoonover, DeWolfe: A bill for an act entitled: "An act to amend section 75-506.1, Revised Codes of Montana, 1947, enacted in section 1, chapter 108, Session Laws of 1951; relating to permitting Indians to attend units of the University of Montana without payment of fees; defining who may attend and increasing the number thereof; and containing a repealing clause." Referred to Committee on Education.

Senate Bill No. 204, introduced by Harken, Hibbs: A bill for an act entitled: "An act to confirm the vesting of title in the State of Montana of farm mortgage lands transferred by chapter 250, Laws of 1953, and validating instruments affecting the disposition of said lands." Referred to Committee on State Administration.

Senate Bill No. 8, introduced by Cumming, James, Beley, Durkee: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana by adding a new section to provide for the continuity of state and local governments in a period of emergency caused by enemy attack or other calamity, notwithstanding other constitutional provisions." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 67, introduced by Hibbs, Cumming, Durkee: A bill for

an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional status of justice of the peace courts, police courts and municipal courts by deleting certain specific references to such courts in the Constitution by amending sections 8 and 23, article III and sections 1 and 34, article VIII and by repealing sections 20, 21, 22, 23 and 24, article VIII." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 163, introduced by Siderius, Brenner, McKeon, Bovey: A bill for an act entitled: "An act to amend section 84-301, Revised Codes of Montana, 1947, relating to classification of property for taxation, to include property of rural telephone associations with property of rural electrical associations, and deleting property in class six (6), and providing that trailers permanently affixed to the land on land owned, leased or under contract of purchase by the trailer owner, to be included in class four (4); and containing a repealing clause, and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 446, introduced by Nichols: A bill for an act entitled: "An act to transfer monies from one account to another within the present appropriations of the State Industrial School, the Montana Children's Center and the Vocational School for Girls; to transfer monies from the present appropriation of the State Industrial School to the Montana Children's Center; and to appropriate money for the purpose of paying certain expenses of the Montana Children's Center for the current biennium ending June 30, 1961; and providing an effective date." Referred to Committee on Appropriations.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 65 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Hazelbaker, Loman. Total 2.

Excused: Abel. Total 1.

House Bill No. 71 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page,

Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 87.

Noes: Haughey, Kolar, Rosell, Wright. Total 4.

Absent or not voting: Aasheim, Hazelbaker. Total 2.

Excused: Abel. Total 1.

House Bill No. 241 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Adams, Barnard, Bradford, Conklin, Rosell, Twedt. Total 6.

Absent or not voting: Bardanouve, Hazelbaker. Total 2.

Excused: Abel. Total 1.

House Bill No. 414 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Abel. Total 1.

Substitute House Bill No. 90 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde,

Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: Rosell. Total 1.

Absent or not voting: Schye. Total 1.

Excused: Abel. Total 1.

House Bill No. 224 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Dykstra, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 62.

Noes: Aasheim, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Coulter, Daniels, Edwards, Emmons, Eskildsen, Hanks, Harper, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Rosell, Schwinden, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 31.

Absent or not voting: None.

Excused: Abel. Total 1.

House Bill No. 135 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Bashor, Harper, Lewis, Mernin, Picard, Raundal, Spilde, Stearns, Stranahan. Total 9.

Absent or not voting: None.

Excused: Abel. Total 1.

House Bill No. 94 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sulli-

van (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Barnard, Crum, Edwards, Etchart, Harper, Moudree, Rygg, Teigen, Twedt. Total 9.

Absent or not voting: None.

Excused: Abel. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Beam of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 102 do pass.

That House Bill No. 335 do pass.

That House Bill No. 147 do pass.

That Substitute House Bill No. 257 be amended in Section 1, by striking out in the last line of that section the period and quotation marks, and inserting in lieu thereof the following words and punctuation: " , unless said employees shall have otherwise elected, as provided herein."

And as amended, do pass.

That consideration of House Bill No. 231 be passed for the day.

That further consideration of House Bill No. 89 be passed for the day.

That House Bill No. 181 do pass.

That consideration of House Bill No. 266 be passed for the day.

That Substitute House Bill No. 318 do pass.

That House Bill No. 388 do pass.

That Substitute House Bill No. 401 do pass.

BEAM, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 3:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bills Nos. 318, 401, 134, 257 and House Bills Nos. 147, 223, 388 and 181.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 91, 169, 212, 258, 376, 381 and Substitute House Bills Nos.

429 and 270, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 351, 412 and Substitute House Bill No. 79, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 be amended as follows:

Amend in Line 15, page 1, in the title of the original bill, by adding quotation marks (") following the period at the end of the sentence;

Further amend in line 12, page 2 of the original bill, following the word "exceed" by striking the following: "(matter deleted) twenty-five hundred dollars (\$2500)" and insert in lieu thereof the words and figures: "twenty-one hundred dollars (\$2100.00)";

And further amend in line 5, page 3 of the original bill, by deleting the \$ sign within the parentheses following the word "thousand";

And further amend in line 7, page 3 of the original bill, by deleting the \$ sign within the parentheses following the word "thousand";

And as amended, do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 295, respectively report as follows: That House Bill No. 295 do not pass, but that

Substitute House Bill No. 295, introduced by Committee on Ways and Means, A Bill for an act entitled: "An act to provide for the payment of license tax for any racing association taking advantage of the provisions of section 94-2425, R. C. M. 1947; providing for collection of said license tax and for the maintaining of records by said racing associations; designating the county treasurer as the officer to be charged with the responsibility of collecting said license tax and supervising said records to be furnished by said racing association; directing that said license tax shall be divided between the county and the general fund of the State of Montana; providing a penalty; excepting from this act, county fair boards; and providing for an effective date of this act."

Do pass.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be concurred in.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 151, respectfully report as follows: That Senate Bill No. 151 be concurred in.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 be amended as follows:

Be amended in line 16 and line 17 of Section 1, page 1 of the original bill by deleting the following words: "and located in any area within township 23, North Range 18 East, Section 27." and inserting in lieu thereof the following: "at a site to be determined by the state highway commission.";

Be further amended by adding in line 20 of Section 2, page 1 of the original bill after the figure "\$600,000" the following: "or so much thereof as may be necessary";

And as so amended, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Substitute House Bill No. 42, House Bills Nos. 119 and 112.

REED, Chairman.

I have examined House Bill No. 112 introduced by me and find the same to be correct.

REINECKE

I have examined House Bill No. 119 introduced by me and find the same to be correct.

HANKS

I have examined House Bill No. 42 introduced by me and find the same to be correct.

KOLAR

The Speaker signed House Bills Nos. 112, 119 and 42 in open session, the titles having first been read.

MESSAGES FROM THE GOVERNOR

February 9, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives
State Capitol Building
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 86, introduced by Blewett, Anderson et al.
House Bill No. 123, introduced by Committee on Judiciary.

Very truly yours,

DONALD G. NUTTER,
Governor.

February 9, 1961

Hon. Clyde Hawks
Speaker of the House of Representatives
Helena, Montana
Hon. Tim M. Babcock
President of the Senate
Helena, Montana

Sirs:

I am returning House Bill No. 76 without my approval for the following reason:

Although the intent of the Legislation was good, error was made in drafting which makes the Legislation illegal and unenforceable.

Sincerely yours,

DONALD G. NUTTER,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that Rule 36 be suspended for the purpose of introducing a new bill, House Bill No. 447, which would replace, in effect, House Bill No. 76. Motion carried.

Motion was made by Anderson (Yellowstone) that the House accept House Bill No. 447. Motion carried.

Conklin, having voted on the prevailing side in accepting an adverse committee report on House Bill No. 243, moved to reconsider House Bill No. 243. Motion carried.

Seymour moved that House Bill No. 243 be printed and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 447, introduced by Schye, Laas, Healy, Asbjornson, Mou-dree: A bill for an act entitled: "An act to repeal section 16-1621, Revised Codes of Montana, 1947, relating to the payment of contracts for the construction and maintenance of improvement in rural improvement districts; to amend section 16-1620, Revised Codes of Montana, 1947, as amended by section 1, chapter 3, Laws of 1955, and section 7, chapter 260, Laws of 1959, relating to the form and terms and use of bonds and warrants of rural improvement districts; providing that the bonds and warrants of rural improvement districts shall be sold by the board of county commissioners to the highest and best bidder and payment of contracts of rural improvement districts made from the proceeds of such sale of bonds and warrants; prescribing the procedure to be followed in connection with the sale of such bonds and warrants; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

Substitute House Bill No. 295, introduced by Committee on Ways and Means: A bill for an act entitled: "An act to provide for the payment of

license tax for any racing association taking advantage of the provisions of section 94-2425, R. C. M. 1947; providing for collection of said license tax and for the maintaining of records by said racing associations; designating the county treasurer as the officer to be charged with the responsibility of collecting said license tax and supervising said records to be furnished by said racing association; directing that said license tax shall be divided between the county and the general fund of the State of Montana; providing a penalty; excepting from this act, county fair boards; and providing for an effective date of this act." Referred to Committee on Bills.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Beam of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 227 do pass.

That House Joint Memorial No. 11 do pass.

BEAM, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a.m., Friday, February 10, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 10, 1961

House convened, pursuant to adjournment, at 9:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Pierce, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-ninth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 33 and 88, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MESSAGES FROM THE SENATE

February 9, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 114 introduced by Hilling, Pierce, Bradford and Hanks.

House Bill No. 162 introduced by Schye, Emmons, Laas and Healy.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 9, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 188 introduced by Committee on Appropriations.

House Bill No. 51 introduced by Higham.

House Bill No. 108 introduced by Edwards and Kvaalen.

House Bill No. 12 introduced by Kvaalen.

House Bill No. 272 introduced by Blewett, Daniels, Haines and Hanks.

House Bill No. 152 introduced by Weeks, Keller, Melcher, Haughey and Hilling.

House Bill No. 155 introduced by Hilling, Haughey, Anderson (Yellowstone), Rosell, Beam, Crum, Goan and Pierce.

House Bill No. 156 introduced by Hilling, Haughey, Anderson (Yellowstone), Beam, Crum, Goan, Rosell and Pierce.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 9, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 20 introduced by McKeon, McKenna (Fergus), Stein and Carney.

Senate Bill No. 3 introduced by Mackay, Groff and Cole.

Senate Bill No. 2 introduced by Mackay, Groff and Cole.

Senate Bill No. 4 introduced by Mackay, Groff and Cole.

Substitute Senate Bill No. 166 introduced by Committee on Local Government.

Substitute Senate Bill No. 110 introduced by Committee on Education.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 448, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the purpose of paying additional incidental expenses of the Thirty-seventh Legislative Assembly; providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act and providing an effective date." Referred to Committee on Appropriations.

Substitute Senate Bill No. 110, introduced by Committee on Education: A bill for an act entitled: "An act to amend section 75-3612 of the Revised Codes of Montana, 1947, as amended by chapter 241, Laws of 1955, chapter 251, Laws of 1957, and chapter 267, Laws of 1959, providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; providing schedules for determining support of foundation financial program for public elementary and secondary schools, and for other purposes; and containing a repealing clause and effective date." Referred to Committee on Education.

Substitute Senate Bill No. 166, introduced by Committee on Local Government: A bill for an act entitled: "An act to amend section 11-403, Revised Codes of Montana, 1947, as amended by chapter 238 of the Session Laws of 1959, relating to the extension of boundaries of cities; providing the procedure for such extension by cities of the first class; providing that city councils of cities of the first class may not, without petition, consider or act upon any resolution of annexation within two years after the disapproval of a prior resolution relating to the same territory; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Affairs of Cities.

Senate Bill No. 4, introduced by Mackay, Groff, Cole: A bill for an act entitled: "An act directing the State Examiner to conduct an annual audit of the office of State Controller and all state institutions including the University of Montana and relieving the State Controller of the duty to conduct quarterly examinations of the University of Montana by amending sections 82-1014 and 82-1016, R. C. M. 1947 and by repealing section 82-102, R. C. M. 1947." Referred to Committee on State Administration.

Senate Bill No. 2, introduced by Mackay, Groff, Cole: A bill for an act entitled: "An act to relieve the State Board of Examiners of certain powers and duties relating to the supervision and control of state expenditures by amending sections 82-1902, 82-1903, 82-1904, 82-1905, 82-1906, 82-1909, 82-1916, and 82-1919, R. C. M. 1947, relating to the duties of the State Purchasing Agent, section 79-602, R. C. M. 1947, relating to the revolving funds at state institutions, section 82-1125, relating to the board of examiners' duties as ex officio state furnishing board, section 25-508, R. C. M. 1947, relating to travel of public employees, section 41-1608, R. C. M. 1947, relating to the annual reports of the Commissioner of Labor and Industry, and section 3-107, R. C. M. 1947, relating to the contracting power of the Commissioner of Agriculture; and by repealing sections 82-1122, 82-1123 and 82-1124, R. C. M. 1947, relating to the examination of the books of the State Auditor and State Treasurer, sections 82-1126, 82-1127, 82-1128, 82-1129, 82-1130, 82-1140, 82-1141, 82-1142 and 82-1143, R. C. M. 1947, relating to the board of examiners' duties as ex officio board of supplies and furnishing board and the letting of contracts for supplies, section 82-1145, R. C. M. 1947, relating to the employment of clerical help by state boards and offices, section 82-1146, R. C. M. 1947, relating to the power of the Board of Examiners to authorize state boards and offices to contract liability or indebtedness in excess of appropriations, section 82-1148, R. C. M. 1947, relating to the compensation of assistants in executive state offices, sections 59-702, 59-703, and 59-704, R. C. M. 1947, relating to the printing

of departmental reports, section 77-1003, R. C. M. 1947, relating to the auditing of the Veterans Welfare Commission and section 82-2205, R. C. M. 1947, relating to the duty of the Secretary of State to keep a book of supplies; and containing a repealing clause." Referred to Committee on State Administration.

Senate Bill No. 3, introduced by Mackay, Groff, Cole: A bill for an act entitled: "An act to relieve the State Board of Examiners of the duty to approve liquidated claims and to provide for the pre-audit of such claims by the State Controller after authorization of the expenditure by the officer or governing board of the department concerned; to amend the following sections to delete the requirement that the Board of Examiners process claims for expenditures: Section 79-104, R. C. M. 1947, relating to the State Auditor, section 79-202, R. C. M. 1947, relating to the State Treasurer, sections 82-1101, 82-1105, and 82-1152, R. C. M. 1947, relating to the State Board of Examiners, sections 93-306 and 93-314, R. C. M. 1947, relating to district judges, sections 94-9825 and 94-9826, R. C. M. 1947, relating to the Board of Pardons, section 44-410, R. C. M. 1947, relating to the State Law Library, sections 44-514 and 44-515, R. C. M. 1947, relating to the Historical Society Library, section 19-121, R. C. M. 1947, relating to the Montana Fine Arts Commission, section 23-1815, R. C. M. 1947, relating to the State Board of Canvassers, section 26-123, R. C. M. 1947, relating to the Fish and Game Commission, section 32-1620, R. C. M. 1947, relating to the State Highway Commission, sections 46-202, 46-224, 46-228, R. C. M. 1947, relating to the Livestock Sanitary Board, sections 46-1909 and 46-1914, R. C. M. 1947, relating to the Livestock Commission, section 46-2306, R. C. M. 1947, relating to the Grass Conservation Commission, section 59-540, R. C. M. 1947, relating to the Board of Examiners, section 77-151, R. C. M. 1947, relating to the National Guard, section 80-747, R. C. M. 1947, relating to the State Prison, section 80-748, R. C. M. 1947, relating to county sheriffs and section 82-2212, R. C. M. 1947, relating to the Secretary of State; and to repeal sections 59-541, 82-1109, 82-1110, 82-1111, 82-1112, 82-1120, 46-1910 and 46-1911, R. C. M. 1947; and containing a repealing clause." Referred to Committee on State Administration.

Senate Bill No. 20, introduced by McKeon, McKenna (Fergus), Stein, Carney: A bill for an act entitled: "An act relating to securities and creating the office of investment commissioner; providing for the administration of the act and prescribing certain powers and duties in connection therewith; providing for the registration of securities; providing for the registration of broker-dealers, salesmen, and investment advisors; exempting certain securities and security transactions from the provisions of the act; providing for consent to service of process; providing for registration fees under the act; providing for investigations; providing for judicial review of orders; defining terms; providing penalties; providing effective date of act; repealing section 66-2001; section 66-2002; as amended by section 1, chapter 178, Laws of Montana, 1957; section 66-2003, as amended by section 2, chapter 178, Laws of Montana, 1957; sections 66-2004 through 66-2006; sections 66-2007, as amended by section 3, chapter 178, Laws of Montana, 1957; sections 66-2008 through 66-2017; section 66-2018, as amended by section 4, chapter 178, Laws of Montana, 1957; sections 66-2019 through 66-2022; section 66-2023, as amended by section 5, chapter 178, Laws of Montana, 1957; section 66-2024, as amended by section 6, chapter 178, Laws of Montana, 1957; sections 66-2025 and 66-2026, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Judiciary Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do pass.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do not pass.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 do pass.

LOMAN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 318 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanoue, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Reed, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Bradford, Conklin, Jensen (Lake), Regan, Rosell. Total 5.

Absent or not voting: Kvaalen, Raundal. Total 2.

Excused: Pierce. Total 1.

Substitute House Bill No. 401 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Bardanouve, Brenner, Edwards, Eskildsen, Hanks, Harper, McOmber, Mernin, Moudree, Spahr. Total 10.

Absent or not voting: Kvaalen. Total 1.

Excused: Pierce. Total 1.

Substitute House Bill No. 134 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Harper, Lewis, Lombardi, Mernin, Raundal, Spilde, Stearns, Stranahan. Total 8.

Paired: Pierce, aye; Picard, no.

Absent or not voting: None.

Excused: None.

Substitute House Bill No. 257 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Broeder, Cerovski, Gustafson, Stranahan. Total 4.

Absent or not voting: Bradford, Nichols. Total 2.

Excused: Pierce. Total 1.

Motion by Haines that Third Reading of House Bill No. 147 be passed for the day. Motion carried.

House Bill No. 223 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Daniels, Dykstra, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 64.

Noes: Aasheim, Abel, Bardanouve, Bashor, Bradford, Brenner, Cerovski, Coulter, Edwards, Emmons, Eskildsen, Hanks, Harper, Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Raundal, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 28.

Paired: Pierce, aye; Picard, no.

Absent or not voting: None.

Excused: None.

Senate amendments to House Bill No. 111 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: Pierce. Total 1.

House Bill No. 388 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Barnard, Lewis, Mernin, Picard, Raundal, Shelden. Total 6.

Absent or not voting: Daniels. Total 1.

Excused: Pierce. Total 1.

House Bill No. 181 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Blewett, Bradford, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nestead, Page, Picard, Raundal, Reed, Regan, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wyrnen, Wright. Total 75.

Noes: Adams, Baldwin, Beam, Bentz, Brenner, Burrell, Edwards, Etchart, Gustafson, Hilling, Lord, Mathers, Nichols, Reinecke, Rosell, Rygg, Weeks, Mr. Speaker. Total 18.

Absent or not voting: None.

Excused: Pierce. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Murray of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 89 be passed for the day.

That House Bill No. 231 be amended in the title by striking out the following words, beginning on line 10 of the printed bill following the word "buildings," which is line 11 of the original bill: "by increasing certain maximum fees therein set forth";

Be amended further in section 1, in line 25 of page 3 of the printed bill, which is line 24, page 2 of the original bill, by striking out the figures "9.50%" and inserting in lieu thereof the figures "8.00%";

Be amended further in section 1 by striking out in line 26 on page 3 of the printed bill, which is line 24½ of page 2 of the original, by striking out the figures "8.00%" and inserting in lieu thereof the figures "7.75%";

Be amended further in section 1 by striking out in line 42 of page 3 of the printed bill, which is line 51, page 3 of the original bill, the figures "5.00%" and inserting in lieu thereof the figures "4.50%";

Be amended further by striking lines 54 and 55, page 4 of the printed bill, which are lines 15 and 16, page 3 of the original bill; and as amended, do pass.

That consideration of House Bill No. 429 be passed for the day.

That House Bill No. 266 be amended in the title by inserting in line 8 of the original bill, which is line 6 of the printed bill, after the word "limits" the following: "to establish rates therefor subject to public service commission approval,";

Be amended further in section 1 by deleting in line 26, page 1 of the original bill, which is line 11, page 1 of the printed bill, the following:

"the rates to be established at the discretion of the city or town council and upon approval of the public service commission" and inserting in lieu thereof the following: "at reasonable rates filed by the city or town council and approved by the public service commission."; and as amended, do pass.

That Substitute House Bill No. 79 be placed at the end of the General Orders calendar for the day.

That further consideration of House Bill No. 351 be passed for the day.

That consideration of House Bill No. 412 be passed for the day.

That consideration of House Bill No. 37 be passed for the day.

That consideration of House Bill No. 36 be passed for the day.

That House Bill No. 232 do pass.

That House Bill No. 320 do pass.

That consideration of House Bill No. 354 be passed for the day.

That consideration of House Bill No. 363 be passed for the day.

That House Bill No. 393 do pass.

That House Bill No. 394 do pass.

That House Bill No. 92 do pass.

That House Bill No. 168 do pass.

That House Bill No. 192 be placed at the end of the calendar for the day.

That consideration of House Bill No. 283 be passed for the day.

MURRAY, Chairman.

Murray moved for adoption of the Committee of the Whole report.

As a substitute motion, Anderson (Yellowstone) moved that House Bills Nos. 429, 351 and 354 be segregated from the Committee report. Motion carried.

Report adopted, as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 be amended in section 1, line 21, page 1 of the original bill, following the word "sell" and by inserting the following words and punctuation: "parts, parcel, or the whole thereof";

And as so amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 be amended in the title, line 6, page 1 of the original bill, following the word "certificates" by inserting the words "of cosmetologists";

And as amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Memorial No. 15, respectfully report as follows: That House Joint Memorial No. 15 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 9, respectfully report as follows: That House Joint Resolution No. 9 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 422, respectfully report as follows: That House Bill No. 422 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 be amended as follows:

Amend in line 28, page 1 of the original bill by striking the words and figure "five (5)" and insert in lieu thereof the word and figure "two (2)";

Amend further in line 9, page 2 of the original bill by striking the words and figures "one and 50/100th dollars (\$1.50)" and insert in lieu thereof the words and figures: "two dollars and fifty cents (\$2.50)";

And as amended, do pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do not pass.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 be amended as follows:

In line 22 of page 1 through line 16 of page 2 of the original bill by striking section 1 in its entirety and inserting in lieu thereof the following: "Section 1. No title to or interest in, any property located in this state which is used, or to be used, in the generation, transmission, or distribution of electric power and energy to the public or any portion thereof, including power sites, water rights and reservoir lands, shall be transferred or transferable to, or directly or indirectly acquired by, and government or municipal corporation, quasi-municipal corporation, governmental or po-

litical unit or subdivision organized or existing under the laws of any other state.

Such property shall not be transferred or transferable to, or directly or indirectly acquired by any person, firm, association, corporation or organization acting as trustee, nominee, agent or representative for, or in concert or arrangement with, any such government or municipal corporation, quasi-municipal corporation, or governmental or political unit or subdivision organized or existing under the laws of any other state.

Such property shall not be transferred or transferable to, or directly or indirectly acquired by any company, association, organization or corporation, organized or existing under the laws of this state, or any other state, whose issued capital stock, or other evidence of ownership, membership or other interest therein, or in the property thereof, is owned or controlled, directly or indirectly by any means or device whatsoever, by any such government or municipal corporation, quasi-municipal corporation, or governmental or political unit or subdivision organized or existing under the laws of any other state.

Such property shall not be transferred or transferable to, or directly or indirectly acquired by any company, association, organization or corporation organized under the laws of any other state which is not a public utility as defined in section 70-103, Revised Codes of Montana, 1947, and subject to the jurisdiction, regulation and control of the public service commission of the State of Montana, provided, that nothing in this act contained shall be construed to prevent a rural electric cooperative corporation, or an organization or association made up or constituted solely of rural electric cooperative corporations from acquiring such property.”;

And as so amended, do pass.

HAUGHEY, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 1:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 203, beg leave to report that the same has this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Memorial No. 11 and House Bill No. 227.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 be amended as follows:

Be amended in section 4, in the second line 5, page 5 of the original bill, following the word “adoption” delete the remainder of the line and to the comma in the second line 6;

61-218 will then read as follows: “A parent who is a minor shall have the right to relinquish his or her child for adoption, and such relinquishment shall not be subject to revocation by reason of such minority.”;

And as so amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do not pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 be amended as follows:

Be amended in section 1, line 7, page 3 of the original bill, following the word "examiners;" by inserting the following new material after deleting the semicolon: "and shall not exceed the base pay of an officer of equal rank on active duty with the armed forces of the United States, and further provided that the state board of examiners may allow for such additional monies for such allowances as may be due any such officer for subsistence, housing, and longevity when not in conflict with existing Montana statutes;"

Be further amended in section 1, line 25, page 3 of the original bill, following the word "appointment" by inserting the following new material: "Such base pay allowed such officers shall not exceed the base pay of an officer of equal rank on active duty with the armed forces of the United States, and further provided that the state board of examiners may allow for such additional monies for such allowance as may be due any such officer for subsistence, housing, and longevity when not in conflict with existing Montana statutes.";

And as so amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 do not pass.

KELLER, Chairman.

Motion was made by Keller for adoption of the committee report.

Substitute motion was made by Bradford that House Bill No. 365 be printed and placed on General Orders. Motion by Bradford carried.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 do not pass, but that

Substitute House Bill No. 435, a bill for an act entitled: "An act to amend sections 66-801, 66-802, 66-803, 66-804, and 66-806, Revised Codes of Montana, 1947, as amended, all relating to regulation of cosmetology; requiring one (1) year of practice or teaching before obtaining a manager-operator license; exempting from the definition of cosmetology, artists who demonstrate for the benefit and instruction of cosmeticians; requiring a high school diploma or equivalent before obtaining an operator's license; providing that the applicants shall have studied at registered beauty schools, instead of accredited schools; providing that Northern Montana College graduates in cosmetology are qualified to take the licensing examination; deleting provision for apprenticeship licenses; requiring a bond from school operators; forbidding shops and schools to be operated together; providing for a change in the name of the state board; providing additional requirements relative to the establishment of minimum prices; forbidding the advertisement or sale of a service below the minimum price."

Do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 be amended as follows:

Amend in lines 15 and 16 of the title of the original bill by striking following the figures "(\$3.00) to" the words and figures "three dollars and twenty-five cents (\$3.25)" and insert in lieu thereof the words and figures: "four dollars (\$4.00).";

Further amend in lines 20 and 21, page 2 of the original bill by striking the words and figures following the "(matter deleted) three dollars and twenty-five cents (\$3.25)" and insert in lieu thereof the words and figures: "four dollars (\$4.00).";

And as amended, do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under

consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do not pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill Nos. 40, 436 and House Substitute for Senate Bill No. 102, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 51, 108, 155, 152 and 12.

REED, Chairman.

I have examined House Bill No. 12 introduced by me and find the same to be correct.

KVAALLEN

I have examined House Bill No. 155 introduced by me and find the same to be correct.

HILLING

I have examined House Bill No. 51 introduced by me and find the same to be correct.

HIGHAM

I have examined House Bill No. 108 introduced by me and find the same to be correct.

EDWARDS

I have examined House Bill No. 152 introduced by me and find the same to be correct.

WEEKS

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 51, 108, 155, 152 and 12.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that House Bill No. 144 be taken from the Committee on Highways and referred to the Appropriations Committee. Motion carried.

Motion was made by Keller that House Bill No. 365 be taken from the Committee on Bills and referred to the Committee on Townships and Counties.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Bills:

Substitute House Bill No. 435, introduced by the Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend sections 66-801, 66-802, 66-803, 66-804 and 66-806, Revised Codes of Montana, 1947, as amended, all relating to regulation of cosmetology; requiring one (1) year of practice or teaching before obtaining a manager-operator license; exempting from the definition of cosmetology, artists who demon-

strate for the benefit and instruction of cosmeticians; requiring a high school diploma or equivalent before obtaining an operator's license; providing that the applicants shall have studied at registered beauty schools, instead of accredited schools; providing that Northern Montana College graduates in cosmetology are qualified to take the licensing examination; deleting provision for apprenticeship licenses; requiring a bond from school operators; forbidding shops and schools to be operated together; providing for change in the name of the state board; providing additional requirements relative to the establishment of minimum prices; forbidding the advertisement or sale of a service below the minimum price."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Memorial No. 11 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Broeder, Crum, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 62.

Noes: Aasheim, Abel, Blewett, Bradford, Brenner, Bush, Cerovski, Coulter, Dykstra, Eskildsen, Hibbard, Kvaalen, Leuthold, Lombardi, McOmber, Mernin, Picard, Spahr, Stimatz, Stranahan, Teigen, Twedt, Wayrynen. Total 23.

Absent or not voting: Bardanouve, Barnard, Conklin, Daniels, Emmons, Moudree, Shelden. Total 7.

Excused: Burrell, Pierce. Total 2.

House Bill No. 227 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Bush, Crum, Dykstra, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Mr. Speaker. Total 53.

Noes: Aasheim, Abel, Bardanouve, Bashor, Bradford, Brenner, Cerovski, Coulter, Edwards, Eskildsen, Etchart, Hanks, Harper, Jensen (Mineral), Judge, Kolar, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Raundal, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen, Wright. Total 34.

Paired: Pierce, aye; Picard, no.

Absent or not voting: Barnard, Conklin, Daniels, Emmons. Total 4.

Excused: Burrell. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Murray of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 322 be amended in Section 1 in line 10, page 2 of the original bill, which is line 27, page 2 of the printed bill, by adding after the figures "\$6,000.00", and in line 18, page 2 of the original bill which is line 34, page 2 of the printed bill, after the figures "\$6,000.00", the following words: "per year" in each instance; and as amended, do pass.

That House Bill No. 351 be amended in Section 1, in line 11 of the printed bill, which is line 26, page 1 of the original bill, by deleting the following words and figures: "fifty per cent (50%)" and inserting in lieu thereof the following: "at least the above percentages"; and as amended, do pass.

That House Bill No. 352 be amended in Section 1, in line 10 of the printed bill, which is page 1, lines 25 and 26 of the original bill, by deleting the following words and figures: "fifty per cent (50%)" and inserting in lieu thereof the following: "at least the above percentages"; and as amended, do pass.

That the enacting clause be stricken from House Bill No. 353.

That the enacting clause be stricken from House Bill No. 356.

That House Bill No. 384 be amended in Section 1 by striking out in line 25 of the printed bill, which is line 2, page 2 of the original bill, the words and figures "thirty (30)", and inserting in lieu thereof the figures "11-3830", and as amended, do pass.

That further consideration of House Bill No. 386 be indefinitely postponed.

That Substitute House Bill No. 79 be amended in Section 1, by deleting from line 14, page 1 of the printed bill, and line 26 of the original bill the following word and punctuation: "and/" and as amended, do pass.

That consideration of Substitute House Bill No. 429 be passed for the day.

That House Bill No. 192 be amended in the title by striking out in line 5 of the printed bill, line 7 of the original bill, the word "director" and inserting in lieu thereof the word "commission";

Be further amended in the title by striking out in line 6 of the printed bill, which is line 7 in the original bill, the word "his" and inserting in lieu thereof the word "its";

Be further amended in the title by striking out in lines 6 and 7 of the printed bill, which is lines 8 and 9 of the original bill, the following: "requiring persons to stop at fishing and hunting checking stations:"

Be further amended in Section 1 by striking out in line 2 of the printed bill, which is line 14, page 1 of the original, after the word "stations." the balance of Section 1; and inserting in lieu thereof the words: "(1) Every person having in his possession game birds, game animals, fish or fur-bearing animals as defined under section 26-201 R.C.M. 1947 as amended by Chapter 34, Laws of 1959, shall, upon request of the State of Montana Fish and Game Commission or its duly authorized representatives produce the same for inspection.";

Be further amended in Section 1 by striking out lines 6 through 10 in the printed bill, which is lines 19 through 24 of the original, which is subsection (2) in its entirety;

Be further amended in Section 1 by striking out in lines 11 and 12 of the printed bill, which is lines 25 and 26 of the original bill, the following: "(3) Failure of a hunter or fisherman to stop and report at such a checking station" and inserting in lieu thereof the words and figures: "(2) Any person failing or refusing to comply with the provisions of section 1 above";

And as amended, do pass.

MURRAY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 154, 262, 371, 398, 399, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 be amended as follows:

Be amended on line 7, page 2 of the original bill, after the word "examine" by inserting the following words "the fiscal procedures and";

Be amended in the title, line 5 of the original bill, following the word "study" by inserting the words and punctuation "state fiscal procedures,";

Be further amended by striking all of sub-paragraph (2) under the second "whereas" and to re-number the paragraphs to conform thereto;

And as so amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 do not pass, but that

Substitute House Bill No. 359, A bill for an act entitled: "An act to amend section 80-201, Revised Codes of Montana, 1947, and section 80-210.1, Revised Codes of Montana, 1947, enacted as section 1, chapter 189, Laws of 1959, providing for the care and custody of geriatrics, seniles and old soldiers at the Montana State Tuberculosis Sanitarium."

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 be amended as follows:

Be amended in Section 1 by inserting in line 16 of the original bill, after the word "exceed" the words and punctuation "(matter deleted)", and striking the words and figures on line 16 and 17 "six hundred fifty dollars (\$650.00)" and insert in lieu thereof the words and figures "six hundred dollars (\$600.00)";

Be further amended in Section 2, by inserting in line 26 of the original bill, after the word "of", the following words and punctuation "(matter deleted)" and underline the words "ten cents (10c)"

And as so amended, do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 8, respectfully report as follows: That House Joint Resolution No. 8 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 11, respectfully report as follows: That House Joint Resolution No. 11 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do not pass, but that

Substitute House Bill No. 297, A bill for an act entitled: "An act to amend section 75-2201, Revised Codes of Montana, 1947, and to amend section 75-2203, Revised Codes of Montana, 1947, relating to the school day and school year; establishing one hundred eighty days minimum per school year; requiring school day to meet requirements; providing for forfeiting of interest and income funds by school districts not meeting requirements."

Do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do not pass, but that

Substitute House Bill No. 173, A bill for an act entitled: "An act to amend sections 75-1713.1, 75-1722, 75-1723, 75-4518.1, 75-4527, 75-4516.1 and 75-3801, Revised Codes of Montana, 1947, relating to the school budget; procedures for financing the school budget; restrictions on the school budget; reduction in budget by budget board; providing for a statement of levy requirements; enumerating the budgets comprising the school budget; providing for a non-operating budget for any school district not operating any school; defining terms; providing for a reserve fund for the general fund; providing a method for determining the levies required; fixing the tax levy for each of the budgeted funds; providing for elections for additional levies; prohibiting interpretation as authorizing additional budgets; containing a repealing clause; and fixing an effective date."

Do pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 be amended as follows:

Amend in line 14, page 2 of the original bill, after the word "however," by inserting the following: "that the term 'water well' does not include excavations by back-hoe, or otherwise, for recovery and use of surface waters where the depth thereof is twenty-five (25) feet or less; provided further, however,"

And as amended, do pass.

LEUTHOLD, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to the Committee on Bills:

Substitute House Bill No. 173, introduced by the Committee on Education: A bill for an act entitled: "An act to amend sections 75-1713.1, 75-1722, 75-1723, 75-4518.1, 75-4527, 75-4516.1 and 75-3801, Revised Codes of Montana, 1947, relating to the school budget; procedures for financing the school budget; restrictions on the school budget; reduction in budget by budget board; providing for a statement of levy requirements; enumerating the budgets comprising the school budget; providing for a non-operating budget for any school district not operating any school; defining terms; providing for a reserve fund for the general fund; providing a method for determining the levies required; fixing the tax levy for each of the budgeted funds; providing for elections for additional levies; prohibiting interpretation as authorizing additional budgets; containing a repealing clause; and fixing an effective date."

Substitute House Bill No. 297, introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2201, Revised Codes of Montana, 1947, and to amend section 75-2203, Revised Codes of Montana, 1947, relating to the school day and school year; establishing one hundred eighty days minimum per school year; requiring school day to meet requirements; providing for forfeiting of interest and income funds by school districts not meeting requirements."

Substitute House Bill No. 359, introduced by the Committee on State Administration: A bill for an act entitled: "An act to amend section 80-201, Revised Codes of Montana, 1947, and section 80-210.1, Revised Codes of Montana, 1947, enacted as section 1, chapter 189, Laws of 1959, providing for the care and custody of geriatrics, seniles and old soldiers at the Montana State Tuberculosis Sanitarium."

MOTIONS AND RESOLUTIONS

Motion was made by Crum that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 35. Motion carried.

Motion was made by Crum that House Bill No. 35 be rereferred to the Committee on Public Health, Welfare and Safety. Motion carried.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:30 a. m., Saturday, February 11, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 11, 1961

House convened, pursuant to adjournment, at 9:30 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Pierce, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fortieth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 231, 322, 266, 232, 92, 168, 320, 393, 394.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 281, 348, 447 and Substitute House Bill No. 295, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do not pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 do not pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Joint Resolution No. 12, respectfully report as follows: That House Joint Resolution No. 12 do pass.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 do not pass.

HAUGHEY, Chairman.

Motion was made by Haughey for adoption of the committee report.

Substitute motion was made by Schye that House Bill No. 406 be printed and placed on General Orders. Schye requested a roll call vote, the results thereof to be spread on the Journal. A sufficient number of seconds arose, and roll call vote taken as follows:

Ayes: Abel, Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Broeder, Burrell, Bush, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Hazel-

baker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Kolar, Laas, Lewis, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Picard, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 57.

Noes: Aasheim, Adams, Anderson (Yellowstone), Bardanouve, Blewett, Bradford, Cerovski, Conklin, Coulter, Emmons, Harper, Haughey, Jenkins, Jensen (Lake), Keller, Kvaalen, Leuthold, Loman, Lombardi, Lord, Melcher, Mernin, Raundal, Regan, Schwinden, Shelden, Stimatz, Stranahan, Sullivan (Silver Bow), Teigen, Twedt. Total 31.

Absent or not voting: Barnard, Brenner, Judge, Moudree. Total 4.

Excused: Pierce, Reed. Total 2.

Substitute motion carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass, but that

Substitute House Bill No. 310, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to provide for the creation of special improvement districts including areas outside towns or cities and including areas within incorporated towns, cities and rural areas; to own and operate television translator stations; provide a method to tax all persons who use such stations; for the levy and collection of such taxes; provide for the operation, management and control of such districts; the acceptance of gifts of property or money; for the exemption of certain persons from the provisions of the act; penalties for the violation of the act and repealing all acts in conflict herewith."

Be amended as follows:

In lines 18 and 19 of section 13 of page 6 of the substitute bill by deleting the words and figure "(3) sue and be sued;"

And be further amended,

By changing the numbering of the subsections herein to correspond with this deletion.

And as so amended, do pass.

HAUGHEY, Chairman.

Motion was made by Haughey that the committee report be adopted. Substitute motion was made by Jensen (Mineral) that the enacting clause be stricken from House Bill No. 310. After debate, Haughey moved the previous question. Motion carried. Substitute motion by Jensen (Mineral) failed to carry. Committee report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 188, 272, 156, 111.

REED, Chairman.

I have examined House Bill No. 188 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 272 introduced by me and find the same to be correct.

BLEWETT.

I have examined House Bill No. 156 introduced by me and find the same to be correct.

HILLING.

I have examined House Bill No. 111 introduced by me and find the same to be correct.

HIGHAM.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 188, 272, 156, and 111.

MESSAGES FROM THE SENATE

February 10, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 112 introduced by McKeon, Reardon, Brenner, Brownfield.

Senate Bill No. 93 introduced by Cotton, Groff, Cumming.

Senate Bill No. 178 introduced by McKeon.

Senate Bill No. 132 introduced by Harken (by request).

Senate Bill No. 158 introduced by Siderius, McKenna (Fergus), Cashmore, Edwards.

Senate Bill No. 181 introduced by McKeon, Reardon.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Bradford that House Bill No. 365 be taken from the Committee on Townships and Counties and placed on General Orders. Spahr moved the previous question. Motion carried. Motion by Bradford carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Substitute House Bill No. 310, introduced by the Judiciary Committee: A bill for an act entitled: "An act to provide for the creation of special improvement districts including areas outside towns or cities and including areas within incorporated towns, cities and rural areas; to own and operate television translator stations; provide a method to tax all persons who use such stations; for the levy and collection of such taxes; provide for the operation, management and control of such districts; the acceptance of gifts of property or money; for the exemption of certain persons from the provisions of the act; penalties for the violation of the act and repealing all acts in conflict herewith." Referred to the Committee on Bills.

Senate Bill No. 181, introduced by McKeon, Reardon: A bill for an act entitled: "An act relating to the right of eminent domain; providing that if the power of eminent domain is ever exercised to acquire interests in the surface of property to mine and extract ores, metals or minerals located beneath or upon the surface of property, the decree shall be granted only on condition that the plaintiff simultaneously protects the public in the immediate area by agreeing to meet certain specified conditions." Referred to the Committee on Business and Industry.

Senate Bill No. 158, introduced by Siderius, McKenna (Fergus), Cashmore, Edwards: A bill for an act entitled: "An act relating to aid of disabled elector at an election; amending section 12-1213, R. C. M. 1947, to require judges who assist such elector to so certify on the official register, instead of on the ballot, in order to protect the secret ballot of the elector." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 132, introduced by Harken (by request): A bill for an act entitled: "An act to amend section 31-147, R. C. M. 1947, relating to authority of board to suspend or revoke license; striking the word 'revoke' from title of section; authorizing board to suspend license or driving privilege of person who falsifies application for license; authorizing board to issue probationary license to unsafe drivers as is shown by driving record; providing that board shall determine restrictions for such probationary license and requiring licensee to obey restrictions; establishing term of probation; requiring licensee to surrender all current licenses and authorizing board to suspend for refusal or neglect to surrender such licenses; providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Highways.

Senate Bill No. 178, introduced by McKeon: "A bill for an act amending section 92-104, Revised Codes of Montana of 1947 as amended by chapter 231 of the Laws of Montana of 1959, relating to the salary of the appointed member of the industrial accident board and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

Senate Bill No. 93, introduced by Cotton, Groff, Cumming: A bill for an act entitled: "An act to amend section 75-3612 of the Revised Codes of Montana of 1947, as amended by chapter 241, Laws of 1955, chapter 251, Laws of 1957, and chapter 267, Laws of 1959, providing that if a high school having an ANB of twenty-four (24) or less for three consecutive years is not approved as an isolated high school, then it shall receive no state equalization aid, and amending section 75-3617 of the Revised Codes of Montana of 1947, and providing that approval by the state superintendent of public instruction, and containing a repealing clause." Referred to Committee on Education.

Senate Bill No. 112, introduced by McKeon, Reardon, Brenner, Brownfield: A bill for an act entitled: "An act relating to and providing for the acquisition by eminent domain of interests in the surface of property to the extent necessary to mine and extract ores, metals or minerals by the owner thereof when the same are located beneath or upon the surface, the title to which is vested in others, and to amend sections 93-9902 and 93-9903 of the Revised Codes of Montana, 1947, as amended by the Laws of Montana of 1953 and 1955, relating to the right of eminent domain, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Business and Industry.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 147 being a bill calling for a Constitutional Amendment and thereby requiring a two-thirds approval for passage, Abel requested

a Call of the House. There being sufficient seconds, the Speaker ordered roll call and a Call of the House. Progress having been reported, Abel moved the Call of the House be dispensed with. Motion carried.

House Bill No. 147, failed to pass the House by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Bentz, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Etchart, Gustafson, Haines, Hanks, Harper, Healy, Higham, Jensen (Mineral), Jensen (Lake), Judge, Lewis, Lombardi, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Picard, Regan, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 57.

Noes: Anderson (Yellowstone), Baldwin, Beam, Blewett, Broeder, Crum, Dykstra, Edwards, Falkenstern, Goan, Hall, Haughey, Hazelbaker, Hibbard, Hilling, Jenkins, Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lundgren, Murray, Nichols, Page, Raundal, Reed, Reinecke, Rosell, Rygg, Seymour, Stearns, Thompson. Total 36.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 231 passed the House by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Emmons, Lombardi, Sullivan (Deer Lodge). Total 3.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 322 passed the House by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Jensen (Mineral). Total 91.

Noes: Gustafson, Haughey. Total 2.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 266 passed the House by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: Moudree. Total 1.

Absent or not voting: Laas. Total 1.

Excused: Pierce. Total 1.

House Bill No. 232 passed the House by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Lewis, Loman, Lombardi, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 77.

Noes: Adams, Asbjornson, Bentz, Goan, Hall, Higham, Hilling, Kvaalen, Leuthold, Mathers, Nelstead, Rosell, Spilde, Swanz, Mr. Speaker. Total 15.

Absent or not voting: Lord. Total 1.

Excused: Pierce. Total 1.

House Bill No. 92 passed the House by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Picard, Raundal, Regan, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 76.

Noes: Adams, Anderson (Madison), Burrell, Crum, Etchart, Goan, Hilling, Kolar, Nelstead, Page, Reed, Reinecke, Rosell, Smith, Thompson, Wright. Total 16.

Absent or not voting: Lord. Total 1.

Excused: Pierce. Total 1.

House Bill No. 92, introduced by Schwinden: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Constitution of Montana to eliminate the constitutional status of state and county boards of equalization by deleting specific references in the Constitution to such boards by repealing section 15, article XII and by amending sections 9 and 16, article XII."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 9, article XII of the Constitution of the State of Montana is amended to read as follows:

"Section 9. The rate of taxation on real and personal property for state purposes, except as hereinafter provided, shall never exceed two and one-half mills on each dollar of valuation; and whenever the taxable property of the state shall amount to six hundred million dollars (\$600,000,000) the rate shall never exceed two (2) mills on each dollar of valuation, unless the proposition to increase such rate, specifying the rate proposed and the time during which the rate shall be levied shall have been submitted to the people at the general election and shall have received a majority of all votes cast for and against it at such election; provided, that in addition to the levy for state purposes above provided for, a special levy in addition may be made on livestock for the purpose of paying bounties on wild animals and for stock inspection, protection and indemnity purposes, as may be prescribed by law, and such special levy shall be made and levied annually in amount not exceeding four mills on the dollar (matter deleted) as may be provided by law."

Section 2. Section 16, article XII of the Constitution of the State of Montana is amended to read as follows:

"Section 16. All property shall be assessed in the manner prescribed by law except as is otherwise provided in this constitution. The franchise, roadway, roadbed, rails and rolling stock of all railroads operated in more than one county of this state shall be assessed (matter deleted) and the same shall be apportioned to the counties, cities, towns, townships and school districts in which such railroads are located, in proportion to the number of miles of railway laid in such counties, cities, towns, townships and school districts."

Section 3. Section 15, article XII of the constitution of the State of Montana is repealed.

Section 4. When this amendment is submitted to the electors of the State of Montana as provided by law, there shall be printed on the ballot the full title and the first three (3) sections of this act and the following words:

- ☐ For the above amendment and repeal
☐ Against the above amendment and repeal."

House Bill No. 168 passed the House by the following vote:

Ayes: Aasheim, Adams, Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Falkenstein, Gustafson, Hanks, Harper, Hazelbaker, Healy, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Kolar, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Regan, Reinecke, Rygg, Schye, Shelden, Smith, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 64.

Noes: Abel, Anderson (Yellowstone), Anderson (Madison), Beam, Bentz, Crum, Dykstra, Edwards, Etchart, Goan, Haines, Hall, Haughey,

Hibbard, Hilling, Johnson, Keller, Kvaalen, Laas, Page, Raundal, Reed, Rosell, Schwinden, Seymour, Spahr, Spilde, Twedt. Total 28.

Absent or not voting: Lord. Total 1.

Excused: Pierce. Total 1.

House Bill No. 168, introduced by Lucas, Murray, Eskildsen, Stimatz: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to section 19 of article VIII of the constitution of the State of Montana relating to the election, qualifications, term of office, salary, and duties of county attorneys, to provide that the term of office of county attorneys shall be four (4) years."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 19 of article VIII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana, at the general election to be held in November of 1962.

Section 2. That section 19 of article VIII of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Sec. 19. There shall be elected at the general election in each county of the state one county attorney, whose qualifications shall be the same as are required for a judge of the district court, except that he must be over twenty-one years of age, but need not be twenty-five years of age, and whose term of office shall be four years (matter deleted), and until their successors are elected and qualified. He shall have a salary to be fixed by law, one-half of which shall be paid by the state, and the other half by the county for which he is elected, and he shall perform such duties as may be required by law."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot as provided by chapter 11 of title 23 of the Revised Codes of Montana, 1947, as amended (matter deleted) and there shall be printed on such ballot the title of this act and the following words:

☐ For the above amendment

☐ Against the above amendment"

House Bill No. 320 passed the House by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Moudree, Raundal. Total 2.

Absent or not voting: Lord. Total 1.

Excused: Pierce. Total 1.

House Bill No. 393 passed the House by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Abel, Bashor, Cerovski, McOmber, Moudree, Twedt. Total 6.

Absent or not voting: Bradford, Lord. Total 2.

Excused: Pierce. Total 1.

House Bill No. 394 passed the House by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Abel, Bashor, Cerovski, Emmons, McOmber, Mernin, Moudree, Spahr, Sullivan (Deer Lodge), Teigen, Twedt. Total 11.

Absent or not voting: None.

Excused: Pierce. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hilling of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 89 be amended in the title in the last line thereof by deleting the period and quotation marks and substituting a comma therefor, and adding the following: "and containing a repealing clause."";

Be amended further in Section 1 by adding on line 14 of the printed bill after the period, which is line 21, page 1 of the original bill, the following: " 'Affiliated' as used herein shall mean the same as 'affiliated group' as it is defined under the provisions of section 1504, Internal Revenue Code of 1954, or as that section shall be labeled or amended."; and as amended, do pass. *

That consideration of House Bill No. 412 be passed for the day.

That consideration of House Bill No. 37 be passed for the day.

That consideration of House Bill No. 36 be passed for the day.

That consideration of Substitute House Bill No. 429 be passed for the day.

That House Bill No. 363 be amended in Section 3 by striking out in line 12 of the printed bill, which is line 17, page 2 of the original bill, the period and inserting in lieu thereof the words and punctuation "and in all state institutions."; and as amended, do pass.

That House Bill No. 283 do pass.

That the enacting clause be stricken from House Bill No. 91.

HILLING, Chairman.

Hilling moved that the Committee of the Whole report be adopted. Substitute motion was made by Conklin that House Bill No. 91 be segregated from the Committee report. Conklin requested a roll call vote, with the results recorded in the Journal. Sufficient seconds arose, and a roll call vote followed, to-wit:

Ayes: Bardanouve, Barnard, Bashor, Bentz, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Falkenstern, Harper, Hazelbaker, Healy, Jensen (Lake), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lombardi, Lundgren, McOmber, Melcher, Mernin, Nelstead, Nichols, Picard, Raundal, Regan, Rygg, Schwinden, Seymour, Shelden, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks. Total 46.

Noes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hibbard, Higham, Hilling, Jenkins, Kolar, Kvaalen, Lord, Lucas, Mathers, Moudree, Murray, Page, Reed, Reinecke, Rosell, Schye, Smith, Spilde, Stearns, Stranahan, Swanz, Wright, Mr. Speaker. Total 45.

Absent or not voting: Jensen (Mineral), Spahr. Total 2.

Excused: Pierce. Total 1.

Substitute motion carried. Report adopted as amended.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 79, House Bills Nos. 192, 351, 352, 384.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 263 and 362, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had un-

der consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do not pass.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do not pass.

KVAALEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 11, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same are herewith returned to the House:

Substitute House Bill No. 48 introduced by Townships and Counties Committee.

House Bill No. 191 introduced by Keller, Lucas, Weeks, Baldwin and Melcher.

House Bill No. 252 introduced by Bradford, Anderson (Yellowstone), Blewett and Stimatz.

Substitute House Bill No. 47 introduced by Townships and Counties Committee.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that the Rules be suspended for the purpose of introduction of a bill by the Judiciary Committee. Motion carried.

Motion was made by Kvaalen that Substitute House Bill No. 79 be laid on the table. Coulter requested a roll call vote on the motion, with the results thereof to be recorded in the Journal. Sufficient seconds arose and a roll call vote taken as follows:

Ayes: Baldwin, Beam, Blewett, Broeder, Conklin, Daniels, Edwards,

Eskildsen, Etchart, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Keller, Kolar, Kvaalen, Laas, Lord, McOmber, Moudree, Murray, Nelstead, Regan, Rosell, Schwinden, Schye, Shelden, Spahr, Spilde, Stearns, Swanz, Mr. Speaker. Total 34.

Noes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bentz, Bradford, Brenner, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Emmons, Falkenstern, Goan, Harper, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Nichols, Picard, Reinecke, Rygg, Seymour, Smith, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 53.

Absent or not voting: Bashor, Mernin, Page, Raundal. Total 4.

Excused: Jensen (Mineral), Pierce, Reed. Total 3.

Motion by Kvaalen failed to carry.

Motion by Reinecke that Substitute House Bill No. 429 be taken from General Orders and rereferred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Judiciary Committee:

House Bill No. 449, introduced by the Judiciary Committee: A bill for an act entitled: "An act to provide that an insurer of vehicles in the State of Montana shall provide insurance coverage to the insured motor vehicle owner involved in an accident with the owner of an uninsured motor vehicle for bodily injury and death; providing exceptions thereto and containing definitions; repealing all acts and parts of acts in conflict herewith."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 79 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Beam, Bentz, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Emmons, Etchart, Falkenstern, Goan, Hall, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Reed, Reinecke, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 67.

Noes: Baldwin, Bashor, Blewett, Conklin, Edwards, Eskildsen, Gustafson, Haines, Hanks, Harper, Hazelbaker, Keller, Kvaalen, Laas, Leuthold, Lord, McOmber, Moudree, Picard, Raundal, Regan, Rosell, Schwinden, Shelden, Spahr, Weeks. Total 26.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 192 was passed by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asb-

jornson, Baldwin, Bashor, Beam, Blewett, Burrell, Bush, Cerovski, Coulter, Edwards, Falkenstein, Gustafson, Hanks, Haughey, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nichols, Page, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks. Total 52.

Noes: Abel, Adams, Bardanouve, Barnard, Bentz, Bradford, Brenner, Broeder, Conklin, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Goan, Haines, Hall, Harper, Hazelbaker, Healy, Hibbard, Higham, Jensen (Lake), Kolar, Kvaalen, Laas, Loman, Melcher, Mernin, Moudree, Nelstead, Picard, Raundal, Schwinden, Spilde, Sullivan (Deer Lodge), Twedt, Wayrynen, Wright, Mr. Speaker. Total 41.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 351 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lord, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 69.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Laas, Lombardi, Lucas, McOmber, Mernin, Moudree, Raundal, Schwinden, Shelden, Stimatz, Stranahan, Teigen, Twedt. Total 24.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 352 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 70.

Noes: Aasheim, Abel, Bardanouve, Barnard, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Eskildsen, Laas, Lucas, McOmber, Mernin, Moudree, Raundal, Schwinden, Shelden, Stimatz, Stranahan, Teigen, Twedt. Total 23.

Absent or not voting: None.

Excused: Pierce. Total 1.

House Bill No. 384 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson

(Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Broeder, Crum, Emmons, Goan, Keller, Moudree, Raundal. Total 7.

Absent or not voting: None.

Excused: Pierce. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hilling of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 91 be passed for the day.

That consideration of House Bill No. 169 be passed for the day.

That House Bill No. 212 do pass.

That consideration of House Bill No. 258 be passed for the day.

That consideration of Substitute House Bill No. 270 be indefinitely postponed.

That House Bill No. 376 do pass.

That further consideration of House Bill No. 381 be indefinitely postponed.

That further consideration of House Bill No. 33 be indefinitely postponed.

HILLING, Chairman.

Motion was made by Hilling for adoption of the Committee report. Substitute motion was made by Schwinden that House Bill No. 33 be segregated from the Committee report. Schwinden requested a Call of the House, with a roll call vote recorded in the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. Progress being reported, Schwinden moved the Call of the House be dispensed with. Motion carried. Roll call vote was taken and the substitute motion failed to carry, as follows:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Hanks, Harper, Healy, Jenkins, Jensen (Mineral), Judge, Kvaalen, Leuthold, Lewis, Lombardi, Lord, Lucas, McOmber, Mernin, Moudree, Nichols, Picard, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Thompson, Twedt, Wayrynen. Total 40.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjorn-

son, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Keller, Kolar, Loman, Laas, Lundgren, Mathers, Melcher, Murray, Nelstead, Page, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Teigen, Weeks, Wright, Mr. Speaker. Total 53.

Absent or not voting: None.

Excused: Pierce. Total 1.

Substitute motion was made by Sullivan (Silver Bow) that House Bill No. 381 be segregated from the Committee report. Roll call vote was requested and sufficient seconds arose. The substitute motion failed to carry by the following vote:

Ayes: Aasheim, Abel, Anderson (Madison), Barnard, Bashor, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Harper, Healy, Hibbard, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, Lord, McOmber, Melcher, Mernin, Picard, Raundal, Regan, Rygg, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen. Total 40.

Noes: Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lucas, Lundgren, Mathers, Moudree, Murray, Nelstead, Nichols, Page, Reed, Reinecke, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Weeks, Wright, Mr. Speaker. Total 51.

Absent or not voting: Bardanouve, Eskildsen. Total 2.

Excused: Pierce. Total 1.

Substitute motion was made by Haughey that Substitute House Bill No. 270 be segregated from the Committee report. Roll call vote was requested and sufficient seconds arose. The substitute motion failed to carry by the following vote:

Ayes: Aasheim, Bardanouve, Barnard, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Eskildsen, Goan, Haughey, Hibbard, Jensen (Mineral), Judge, Keller, Kolar, Lewis, Loman, Lucas, McOmber, Moudree, Murray, Regan, Schwinden, Shelden, Spahr, Twedt. Total 28.

Noes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Crum, Edwards, Emmons, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Higham, Hilling, Jensen (Lake), Johnson, Kvaalen, Laas, Leuthold, Lombardi, Lord, Lundgren, Mathers, Mernin, Nelstead, Nichols, Page, Picard, Raundal, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 64.

Absent or not voting: Melcher. Total 1.

Excused: Pierce. Total 1.

Committee of the Whole report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 342, 367, 206, 375, 317, 117, 243, 166, 220, House Joint Memorial No. 15, Substitute House Bills Nos. 435 and 269, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 do not pass, but that

Substitute House Bill No. 400, A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating a state building commission to approve the design and to supervise the inspection of construction and major repair of all state buildings and to otherwise administer the state building program; providing that the commission shall submit a long range building plan to the Legislative Assembly; providing that the construction and major repair of state buildings shall be authorized by the Legislative Assembly; amending sections 77-417 and 77-419 R. C. M. 1947, relating to the construction of National Guard armories; amending section 26-103, R. C. M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R. C. M. 1947, relating to the erection of buildings at the state soldiers' home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205, and 75-206, R. C. M. 1947, relating to the erection of facilities at units of the University of Montana."

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 do not pass, but that

Substitute House Bill No. 391, A bill for an act entitled: "An act to provide that the term of office of the State Examiner, the State Controller, the chairman of the Industrial Accident Board, the Commissioner of State Lands and Investments, the State Forester, the superintendent of the State Hospital, the assistant superintendent of the State Hospital, the president of the Montana State Tuberculosis Sanitarium, the custodian of the State Capitol Building, the co-ordinator of Indian Affairs, the members of the Unemployment Compensation Commission, the State Board of Public Welfare, the State Board of Health, the Montana Liquor Control Board, the State Board of Pardons, the State Highway Commission, the board of administration of the Public Employees Retirement Act, the Montana Live-stock Commission, the State Fish and Game Commission, the Oil and Gas Conservation Commission, the Montana Grass Conservation Commission, the executive board of the Montana State Industrial School, the local executive board of Montana State University, the local executive board of Montana State College, the local executive board of the Montana School of Mines, the local executive board of Western Montana College of Education, the local executive board of Eastern Montana College of Education, the local executive Board of Northern Montana College, the local executive board of the State Vocational School for Girls, the local executive board of the Montana Children's Center, the local executive board of the Montana State Training School, the local executive board of the Montana School for the Deaf and Blind, the Veterans' Memorial Fund Commission, the Commission on Uniform State Laws, the State Athletic Commission, the State Board of Arbitration and Conciliation, the Milk Control Board, the State Aeronautics Commission, the State Board of Food Distributors, the Veterans' Welfare Commission, the Personnel Commission of the State of Montana, and the members of the State Board of Hail Insurance, the advisory committee for the Wool Laboratory, the Montana Poultry Improvement Board, the State Water Conservation Board, the Montana State Board of Forestry, the State Soil Conservation Committee, the Hospital Advisory Council, the State Board of Education, the Soldiers' Home Board of Managers, the State Library Extension Commission, the retirement board of the Teachers Retirement System of the State of Montana, the State Water Pollution Council, the Montana Fine Arts' Commission, and the State Apprenticeship Council

appointed by the governor shall be at the pleasure of the governor; providing that said officers and said members of said boards, commissions, councils and agencies may be removed from office by the governor at any time with or without cause and without hearing; providing that the requirement of the consent of the Senate to appointments by the governor shall not be eliminated or abolished; repealing so much of sections 82-1001, 82-106, 82-107, 92-104, 81-201, 81-1403, 38-104, 80-206, 78-105, 82-2702, 87-117, 71-202, 69-102, 4-104, 94-9822, 32-1601, 68-501, 46-101, 26-102, 60-125, 46-2303, 80-805.1, 75-304, 78-301, 12-401, 82-301, 41-901, 27-404, 1-201, 27-303, 77-1001, 59-1205, 82-1501, 75-717, 3-2201, 89-103, 28-101, 76-104, 69-2910, 75-102, 80-304, 44-127, 75-2703, 69-1329, 19-120 and 41-1201, Revised Codes of Montana, 1947, as is in conflict with this act and repealing all other acts and parts of acts in conflict herewith; and providing an effective date for this act."

Do pass.

WRIGHT, Chairman.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 13, respectfully report as follows: That House Joint Resolution No. 13 do not pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 be amended as follows:

Amend Section 1 in line 18 on page 1 of the original bill, after the word "salary" and before the word "of" by inserting the words "not in excess" and as amended

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 be amended as follows:

Amend Section 1 in line 22 on page 1 of the original bill, following the words "vacancy occurs.", by adding the words: "No more than two members of the board shall be affiliated with the same political party." and as amended,

Do pass.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do not pass, but that

Substitute House Bill No. 35, A bill for an act entitled: "An act to amend section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the issuance of retail liquor licenses, limit on number of licenses and lapse and cancellation of same; requiring veterans' and fraternal organizations to sell liquor to members and their guests only; changing the population figures for determining the limitations in cities, towns and counties; containing a general repealer clause."

Do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 be amended as follows:

Be amended in the title, lines 7 and 8 of the original bill, following the word "to", by deleting the words and figures "one dollar and fifty cents (\$1.50)" and inserting in lieu thereof the words and figures "one dollar (\$1.00)"

and that it be further amended in the title, line 8 of the original bill, by deleting the words and figures, following the word "that", "one dollar (\$1.00)" and inserting in lieu thereof the words and figures "fifty cents (50¢)"

and that it be further amended in Section 1, Subsection (3) (a), line 26 of the original bill, following the words "one dollar" delete the word "and"; further amend line 27 by deleting the words "fifty cents"; further amend line 27 after the words "(matter deleted)" by deleting the punctuation and figures "(\$1.50)" and inserting in lieu thereof the punctuation and figures "(\$1.00)."; and further amend line 27 by deleting the remainder of the line and insert in lieu thereof the words, figures, and punctuation "Fifty cents (50c)"; and further amend on line 2, page 3, of the original bill, following the word "fund" by deleting the words "including appropriations to the State Board of Health and the" and inserting in lieu thereof the words "to the"

And as amended, do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Memorial No. 18, respectfully report as follows: That House Joint Memorial No. 18 do pass.

KELLER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Loman that the House reconsider its previous action in adopting an adverse committee report on House Joint Resolution No. 11. Motion failed to carry.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to the Committee on Bills:

Substitute House Bill No. 400, introduced by the Committee on State Administration: A bill for an act entitled: "An act relating to the planning, financing, construction, alteration and repair of state buildings; creating a state building commission to approve the design and to supervise the inspection of construction and major repair of all state buildings and to otherwise administer the state building program; providing that the com-

mission shall submit a long range building plan to the Legislative Assembly; providing that the construction and major repair of state buildings shall be authorized by the Legislative Assembly; amending sections 77-417 and 77-419 R. C. M. 1947, relating to the construction of National Guard armories; amending section 26-103, R. C. M. 1947, relating to the construction of a fish and game commission building; repealing section 80-319, R. C. M. 1947, relating to the erection of buildings at the State Soldiers' Home; and repealing sections 75-201, 75-202, 75-203, 75-204, 75-205 and 75-206, R. C. M. 1947, relating to the erection of facilities at units of the University of Montana."

Substitute House Bill No. 391, introduced by the Committee on State Administration: A bill for an act entitled: "An act to provide that the term of office of the State Examiner, the State Controller, the chairman of the Industrial Accident Board, the Commissioner of State Lands and Investments, the State Forester, the superintendent of the State Hospital, the assistant superintendent of the State Hospital, the president of the Montana State Tuberculosis Sanitarium, the custodian of the State Capitol Building, the co-ordinator of Indian Affairs, the members of the Unemployment Compensation Commission, the State Board of Public Welfare, the State Board of Health, the Montana Liquor Control Board, the State Board of Pardons, the State Highway Commission, the board of administration of the Public Employees Retirement Act, the Montana Livestock Commission, the State Fish and Game Commission, the Oil and Gas Conservation Commission, the Montana Grass Conservation Commission, the executive board of the Montana State Industrial School, the local executive board of Montana State University, the local executive board of Montana State College, the local executive board of the Montana School of Mines, the local executive board of Western Montana College of Education, the local executive board of Eastern Montana College of Education, the local executive board of Northern Montana College, the local executive board of the State Vocational School for Girls, the local executive board of the Montana Children's Center, the local executive board of the Montana State Training School, the local executive board of the Montana School for the Deaf and Blind, the Veterans' Memorial Fund Commission, the Commission on Uniform State Laws, the State Athletic Commission, the State Board of Arbitration and Conciliation, the Milk Control Board, the State Aeronautics Commission, the State Board of Food Distributors, the Veterans' Welfare Commission, the Personnel Commission of the State of Montana, and the members of the State Board of Hail Insurance, the advisory committee for the Wool Laboratory, the Montana Poultry Improvement Board, the State Water Conservation Board, the Montana State Board of Forestry, the State Soil Conservation Committee, the Hospital Advisory Council, the State Board of Education, the Soldiers' Home Board of Managers, the State Library Extension Commission, the Retirement Board of the Teachers Retirement System of the State of Montana, the State Water Pollution Council, the Montana Fine Arts' Commission, and the State Apprenticeship Council appointed by the governor shall be at the pleasure of the governor; providing that said officers and said members of said boards, commissions, councils and agencies may be removed from office by the governor at any time with or without cause and without hearing; providing that the requirement of the consent of the Senate to appointments by the governor shall not be eliminated or abolished; repealing so much of sections 82-1001, 82-106, 82-107, 92-104, 81-201, 81-1403, 38-104, 80-206, 78-105, 82-2702, 87-117, 71-202, 69-102, 4-104, 94-9822, 32-1601, 68-501, 46-101, 26-102, 60-125, 46-2303, 80-805.1, 75-304, 78-301, 12-401, 82-301, 41-901, 27-404, 1-201, 27-303, 77-1001, 59-1205, 82-1501, 75-717, 3-2201, 89-103, 28-101, 76-104, 69-2910, 75-102, 80-304, 44-127, 75-2703, 69-1329, 19-120 and 41-1201, Revised Codes of Montana, 1947, as is in conflict with this act and repealing all other acts and parts of acts in conflict herewith; and providing an effective date for this act."

Substitute House Bill No. 35, introduced by the Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend

section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the issuance of retail liquor licenses, limit on number of licenses and lapse and cancellation of same; requiring veterans' and fraternal organizations to sell liquor to members and their guests only; changing the population figures for determining the limitation in cities, towns and counties; containing a general repealer clause."

February 9, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 161, 190, 244, 233, 83, 145, 234 and House Joint Resolution No. 6, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:25 a. m., delivered to the Governor for his approval.

REED, Chairman.

February 11, 1961.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 112, 119, 42, 12, 51, 108, 152 and 155, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:15 a. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 1:00 p. m., Sunday, February 12, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 12, 1961

House convened, pursuant to adjournment, at 1:00 p. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Asbjornson, absent and Beam, excused for legislative business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-first Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 212, 376, 102, 89, 283, 335, 363.

REED, Chairman.

Mr. Speaker: We your Committee on Bills, to whom was referred House Bills Nos. 361, 368, 395, 397, 448, 118, 207, 280, 321, 324, 341, 345, Substitute House Bills Nos. 359, 297, 310 and House Joint Resolutions Nos. 1, 2, 8 and 12, beg leave to report the same have this day been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 do pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Substitute House Bill No. 429, respectfully report as follows: That Substitute House Bill No. 429 do not pass, but that

Substitute for Substitute House Bill No. 429, introduced by the Committee on Fish and Game: A bill for an act entitled: "An act relating to fishing licenses; creating a section to be known as section 26-202.5, R. C. M., 1947, to permit patients of Fort Sheridan veterans administration hospital in Wyoming to fish without a Class A or B license; providing for distribution and recovery of special licenses issued for this purpose."

Do pass.

REINECKE, Vice Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 11, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 34 introduced by Haines and Lucas

House Bill No. 146 introduced by Dykstra, Haines and Loman

House Bill No. 292 introduced by Dykstra, Loman and Haines

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 96 introduced by Groff, Durkee, Hibbs

Senate Substitute for Senate Bill No. 41 introduced by Committee on Public Health, Welfare and Safety

Senate Joint Memorial No. 4 introduced by Rieder et al

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 304 introduced by Jensen (Lake), Loman, Kvaalen and Conklin

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 165 by Stimatz et al was this day recommended for non-concurrence by the Committee on Judiciary but that Senate Substitute for House Bill No. 165 be concurred in report adopted, and the original House Bill No. 165 is herewith returned to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Joint Memorial No. 4, introduced by Rieder, DeWolfe, Thiesen, Morrow, Michels, McKenna (Fergus), Brenner, Grieve, Anderson, Shaw, Edwards, Sagunsky, Groff, Harken: A Joint Memorial of the Senate and House of Representatives of the State of Montana to United States Senators Mike J. Mansfield and Lee Metcalf and to United States Representatives Arnold H. Olsen and James F. Battin, members of the Montana congressional delegation, urging the President, the Senate committee on finance and house committee on ways and means to direct the United States tariff commission to review and re-evaluate import quotas and import duties on meats and meat products to the end that friendly relations with other countries be maintained without damaging the domestic livestock-producing industry of the United States. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Substitute for Senate Bill No. 41, introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act providing for the protection of the public health by requiring the approval of the state board of health of plans for water facilities and sewage disposal facilities in subdivisions and proposed subdivisions, providing a definition for a subdivision for sanitary purposes, providing for the filing of subdivision maps or plats subject to sanitary restrictions, prohibiting the erection of buildings and shelters, the use of which by persons necessitates supplying water, sewage or waste disposal until restrictions have been removed by the state board of health, providing for removal of sanitary restrictions, providing for rules and regulations pursuant to the administration of this act including sanitary standards, repealing all acts or parts of acts in conflict with this act and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 96, introduced by Groff, Durkee, Hibbs: A bill for an act entitled: "An act to amend section 69-103, R. C. M. 1947, to provide that the executive officer of the board of health receive such annual salary as may be fixed by the Legislative Assembly." Referred to Committee on State Administration.

Substitute for Substitute House Bill No. 429, introduced by Committee on Fish and Game: A bill for an act entitled: "An act relating to

fishing licenses; creating a section to be known as section 26-202.5, R. C. M., 1947, to permit patients of Fort Sheridan veterans administration hospital in Wyoming to fish without a Class A or B license; providing for distribution and recovery of special licenses issued for this purpose." Referred to Committee on Bills.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 212 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Higham, Lewis, Raundal. Total 3.

Absent or not voting: Asbjornson, Haines. Total 2.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

House Bill No. 376 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Asbjornson. Total 1.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

House Bill No. 102 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Bardanouve, Barnard, Bashor, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Pierce, Regan, Reinecke, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 69.

Noes: Anderson (Yellowstone), Baldwin, Bentz, Brenner, Edwards, Emmons, Gustafson, Hall, Harper, Keller, Laas, Moudree, Picard, Raundal, Seymour, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Wayrynen. Total 20.

Absent or not voting: Asbjornson. Total 1.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

House Bill No. 89 was passed by the following vote:

Ayes: Abel, Anderson (Yellowstone), Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Haughey, Hazelbaker, Healy, Hibbard, Jensen (Mineral), Jensen (Lake), Keller, Kolar, Kvaalen, Leuthold, Loman, Lombardi, Lucas, Lundgren, Mernin, Murray, Nichols, Page, Picard, Regan, Reinecke, Rygg, Schye, Seymour, Spilde, Stearns, Stimatz, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Mr. Speaker. Total 49.

Noes: Aasheim, Adams, Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Coulter, Emmons, Eskildsen, Gustafson, Hall, Hanks, Harper, Higham, Hilling, Jenkins, Judge, Laas, Lewis, Lord, Mathers, McOmber, Melcher, Moudree, Nelstead, Pierce, Raundal, Schwinden, Shelden, Smith, Spahr, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wright. Total 40.

Absent or not voting: Asbjornson. Total 1.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

House Bill No. 283 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Adams, Conklin, Edwards, Haughey, Kvaalen, Lord, Lucas. Total 7.

Absent or not voting: Asbjornson, Keller. Total 2.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

House Bill No. 335 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Regan, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Brenner, Edwards, Hall, Keller, Raundal, Reinecke. Total 6.

Absent or not voting: Asbjornson, Harper. Total 2.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

House Bill No. 363 was passed by the following vote:

Ayes: Abel, Anderson (Madison), Baldwin, Barnard, Bashor, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Hilling, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Regan, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 68.

Noes: Aasheim, Adams, Anderson (Yellowstone), Bardanouve, Bentz, Brenner, Conklin, Haines, Haughey, Higham, Jenkins, Kvaalen, Loman, Lord, Melcher, Page, Reinecke, Schwinden, Spahr, Twedt. Total 20.

Absent or not voting: Asbjornson, Daniels. Total 2.

Excused: Beam, Johnson, Reed, Rosell. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the following rules: First—each speaker upon a motion to be limited to five minutes; second—no member to speak more than once on a motion, except the maker of the motion who shall have an extra five minutes to close the debate; third—no member shall yield his time to a member on the floor. Motion carried.

Nelstead of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Substitute House Bill No. 435 be passed for the day.

That the enacting clause be stricken from House Bill No. 412.

That consideration of House Bill No. 37 be passed for the day.

That consideration of House Bill No. 36 be passed for the day.

That further consideration of House Bill No. 91 be indefinitely postponed.

That House Bill No. 169 be amended in section 1 by striking out in line 3 of the printed bill, which is line 20, page 1 of the original bill, after the word "machinery" the words "other than new machinery";

Further amend section 1 in line 19 of the printed bill, which is page 2, lines 7 and 8 of the original bill after the word "shall" by adding a comma and deleting "appoint inspectors";

Further amend section 1 in line 20 of the printed bill, which is line 8, page 2 of the original bill, after the words "funds" and after the comma by adding the word "appoint";

Further amend section 1 on line 26 of the printed bill, which is line

14, page 2 of the original bill, starting with the words "in addition" and deleting all of that sentence which ends with the word "entry";

Further amend section 1, line 32 of the printed bill, which is line 20, page 2 of the original bill after the word "entry" and before the comma by inserting the following words "where inspections can be made";

Further amend section 1 on line 34 of the printed bill, which is line 23, page 2 of the original bill, by adding a period after the word "state" and deleting the comma and words "and where inspections can be made";

And as amended, do pass.

That House Bill No. 220 be placed on the calendar following House Bill No. 40.

That consideration of House Bill No. 258 be passed for the day.

That House Bill No. 88 be amended in section 1, line 5 of the printed bill, which is line 17, page 1 of the original bill, by deleting the figures "1960" and inserting the figures "1962";

And as amended, do pass.

That consideration of Substitute House Bill No. 203 be passed for the day.

That House Bill No. 40 be amended in section 2, line 10, of the printed bill, which is line 29 of the original bill, by inserting after the word "ballot" the words "at the general election";

And as amended, do pass.

That the enacting clause be stricken from House Bill No. 220.

That consideration of House Bill No. 436 be passed for the day.

That House Substitute for Senate Bill No. 102 be placed on the calendar after Senate Amendments to House Bill No. 316.

That the enacting clause be stricken from House Bill No. 154.

That consideration of House Bill No. 398 be passed for the day.

That consideration of House Bill No. 447 be passed for the day.

That the enacting clause be stricken from House Bill No. 243.

That House Bill No. 262 do pass.

That Substitute House Bill No. 295 do pass.

That House Bill No. 399 do pass.

NELSTEAD, Chairman.

Motion was made by Nelstead for adoption of the Committee of the Whole report.

Substitute motion was made by Spahr that House Bill No. 220 be segregated from the Committee report. Spahr requested a roll call vote, the results thereof to be recorded in the Journal. There being sufficient seconds, roll call vote following, to-wit:

Ayes: Aasheim, Anderson (Yellowstone), Bardanouve, Blewett, Bradford, Cerovski, Coulter, Crum, Daniels, Goan, Haines, Hall, Hanks, Haughey, Higham, Hilling, Jensen (Lake), Keller, Kvaalen, Leuthold, Loman, Lucas, McOmber, Page, Raundal, Seymour, Shelden, Spahr, Thompson, Wayrynen, Mr. Speaker. Total 31.

Noes: Abel, Adams, Anderson (Madison), Baldwin, Barnard, Bashor,

Bentz, Brenner, Broeder, Burrell, Bush, Conklin, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Harper, Hazelbaker, Healy, Hibbard, Jenkins, Jensen (Mineral), Kolar, Laas, Lewis, Lombardi, Lord, Lundgren, Mathers, Melcher, Mernin, Moudree, Murray, Nestead, Nichols, Picard, Pierce, Regan, Reinecke, Rygg, Schwinden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Weeks, Wright. Total 55.

Absent or not voting: Asbjornson, Judge, Sullivan (Silver Bow). Total 3.

Excused: Beam, Johnson, Reed, Rosell, Schye. Total 5.

Substitute motion failed. Committee of the Whole report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a. m., Monday, February 13, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 13, 1961

House convened, pursuant to adjournment, at 9:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Gustafson, excused due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-second Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 406 and Substitute House Bill No. 400, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 do pass.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do not pass, but that

Substitute House Bill No. 312, a bill for an act entitled: "An act to amend chapter 10, section 71-1001 through section 71-1008, title 71, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, as amended by section 1, chapter 252, Laws of 1955, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, as amended by section 1, chapter

248, Laws of 1959, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955, providing for the transfer of the general supervision and total administration of this chapter from the state department of public welfare to the industrial accident board of the State of Montana; amending section 71-1001 of the Revised Codes of Montana, 1947, by deleting references to the state department of public welfare and referring instead to the industrial accident board; amending section 71-1002 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, by having the amount of payment conform to the amount of payment established by the Legislative Assembly of 1959; amending section 71-1004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, and as amended by section 1, chapter 248, Laws of 1959, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1005 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1006 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1007 of the Revised Codes of Montana, 1947, by deleting references to the county department of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1008 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 204 of the Laws of 1953, and as amended by section 3, chapter 252 of the Laws of 1955, by deleting references to the state department of public welfare and referring instead to the industrial accident board, and by having the amount of payment conform with the amount established by the 1959 Legislative Assembly; providing for a new section 71-1009, requiring the transfer of the records and payrolls from the state department of public welfare to the industrial accident board and safeguarding continued payments to present recipients of silicosis benefit payments; and repealing all acts and parts of acts in conflict herewith."

Do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 17, respectfully report as follows: That House Joint Memorial No. 17 do not pass.

LOMAN, Chairman.

Loman moved for adoption of the Committee report.

Substitute motion was made by Melcher that House Joint Memorial No. 17 be printed and placed on General Orders. After debate Kvaalen moved the previous question. Motion carried. Substitute motion by Melcher failed to carry. Committee report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 40, 88, 262, 169, 399 and Substitute House Bill No. 295.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 446, 93, 186, 194, 229, 242, 365, Substitute House Bills Nos.

35, 173, 391, and House Joint Memorial No. 18, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Memorial No. 16, respectfully report as follows: That House Joint Memorial No. 16 do not pass.

LOMAN, Chairman.

Loman moved for adoption of the Committee report.

Substitute motion was made by Swanz that House Joint Memorial No. 16 be printed and placed on General Orders. Substitute motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Jensen (Lake) in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of the following Senate Amendments to House Bills be passed for the day: Nos. 114, 162, 110, 219, 180, 7 and 316.

That Substitute House Bill No. 435 do pass.

That Substitute House Bill No. 203 do pass.

That House Bill No. 398 be amended in the title in the last lines thereof by striking the following words: "providing that this act shall be in full force and effect from the date of its passage and approval";

And as amended, do pass.

That House Substitute for Senate Bill No. 102 be amended in the title by deleting from lines 7 and 8 of the printed bill, being lines 5 and 6, page 1 of the original bill, the words: "in areas where complaints have been received by the fish and game commission";

Be further amended in section 1, by deleting from lines 117, 118, 119 and 120 of the printed bill, being lines 2, 3, 4 and 5 of page 5 of the original bill the words: "which special licenses shall be limited to areas to be fixed by the commission and in which areas ten (10) or more written complaints have been received";

And as amended, do pass.

That House Bill No. 354 be amended in the title by striking out in line 2 of the printed bill, which is line 5 of the original bill, the word "public" and inserting in lieu thereof the words "county and municipal";

Be amended further in the title by striking out in line 3 of the printed bill, which is lines 5 and 6 of the original bill, the words and punctuation " , tax levies or indebtedness";

Be amended further in section 1 by striking out in their entirety, lines 4 to 9 inclusive of the printed bill, which are lines 17 to 22 of the original bill, commencing with the words "23-1229. Conduct of bond and tax levy elections." and ending with the words "conducted in the following manner;" and inserting in lieu thereof the words: "23-1229. Conduct of county and municipal bond elections. All elections held under the provisions of any law of Montana providing for or relative to the issuance of any bonds or debentures by a county, city or town shall be conducted in the following manner;"

Be further amended in section 1 by striking from lines 14 and 15 of the printed bill, in lines 28 and 29 of the original bill, the words "state, county, township, municipality, school district or high school district" and inserting in lieu thereof the words: "county or municipality";

Be further amended in section 1 by striking out in lines 22 and 23 of the printed bill, in lines 5 and 6 of the original bill, the words "state, county, township, municipality, school district or high school district" and inserting in lieu thereof the words "county or municipality";

Be further amended in section 1 by deleting from lines 29 through 36 of the printed bill, being lines 13 through 19 of the original bill, all matter except the following:

☐ For the above bond issue."

☐ Against the above bond issue."

And as amended, do pass.

That House Bill No. 355 do pass.

That House Bill No. 371 do pass.

That House Bill No. 348 be amended in section 1, in line 16 of page 2 of the original bill, which is line 35, page 2 of the printed bill, after the words "recognized in" by inserting a comma ",", and the following words: "but without allowance for credits permitted in,";

And as amended, do pass.

That House Bill No. 447 do pass.

That House Bill No. 362 do pass.

That House Joint Memorial No. 15 do pass.

That House Bill No. 117 do pass.

That House Bill No. 166 do pass.

That Substitute House Bill No. 269 be amended in section 1 by striking out in line 22, page 2 of the original bill, in line 43, page 3 of the printed bill the word "and" at the beginning of the line, and the word "of" before the words "county surveyors", and by striking out in line 44 on page 3 of the printed bill, line 23, page 2 of the original bill, the word "now" after the word "surveyors";

Be further amended in section 1 in line 42 on page 3 of the printed bill, which is line 21, page 2 of the original bill, by adding the word and punctuation "sheriffs," after the word "attorneys"

Be further amended in section 1, in line 45 on page 3 of the printed bill, which is line 24, page 2 of the original bill, by adding the words "Revised Codes of Montana, 1947," after the figures "32-303,";

Be further amended in section 1 in line 45 on page 3 of the printed bill, which is line 24, page 2 of the original bill, by adding the word "the" following the words "sum of";

And as amended, do pass.

JENSEN (Lake), Chairman.

Motion was made by Jensen (Lake) for adoption of the Committee of the Whole report.

Substitute motion was made by Kvaalen that House Bill No. 435 be segregated from the Committee report. Substitute motion carried. Committee of the Whole report adopted, as amended.

Motion was made by Anderson (Yellowstone) that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do not pass.

WRIGHT, Chairman.

Motion was made by Wright for adoption of the Committee report.

Substitute motion was made by Keller that House Bill No. 215 be printed and placed on General Orders. Substitute motion carried.

MESSAGES FROM THE SENATE

February 12, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Highways, report adopted, and the same are herewith returned to the House:

House Bill No. 85 introduced by Judge.

House Bill No. 84 introduced by Judge.

House Bill No. 67 introduced by McOmber, Pierce and Lewis.

Substitute House Bill No. 50 introduced by Highways Committee.

House Bill No. 31 introduced by Bentz and Weeks.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 12, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 94 introduced by DeWolfe et al.

Senate Bill No. 95 introduced by DeWolfe et al.

Senate Bill No. 131 introduced by Mackay.

Senate Substitute for Senate Bill No. 159 introduced by Committee on Public Health, Welfare and Safety.

Senate Bill No. 114 introduced by Hibbs, Morrow.

Senate Bill No. 106 introduced by Thiessen, Cotton.

Senate Bill No. 182 introduced by Michels, Groff.

Senate Bill No. 154 introduced by Cumming et al.

Senate Bill No. 193 introduced by McGowan.

Senate Bill No. 118 introduced by Thiessen et al.

Senate Bill No. 7 introduced by Durkee et al.

Senate Joint Resolution No. 1 introduced by Durkee, Mackay.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Daniels that House Bill No. 225 be taken from the Committee on Ways and Means, printed and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Substitute House Bill No. 312, introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend chapter 10, section 71-1001 through section 71-1008, title 71, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, as amended by section 1, chapter 252, Laws of 1955, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, as amended by section 1, chapter 248, Laws of 1959, as amended by section 2, chapter 204, Laws of 1953, and as amended by section 3, chapter 252, Laws of 1955, providing for the transfer of the general supervision and total administration of this chapter from the state department of public welfare to the industrial accident board of the State of Montana; amending section 71-1001 of the Revised Codes of Montana, 1947, by deleting references to the state department of public welfare and referring instead to the industrial accident board; amending section 71-1002 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1003 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42, Laws of 1953, and as amended by section 1, chapter 252, Laws of 1955, by having the amount of payment conform to the amount of payment established by the Legislative Assembly of 1959; amending section 71-1004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 204, Laws of 1953, as amended by section 2, chapter 252, Laws of 1955, and as amended by section 1, chapter 248, Laws of 1959, by deleting references to the county departments of public welfare and the state department of public welfare and referring instead to the industrial accident board; amending section 71-1005 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1006 of the Revised Codes of Montana, 1947, by deleting references to the county departments of public welfare and to the state department of public welfare, and referring instead to the industrial accident board; amending section 71-1007 of the Revised Codes of Montana, 1947, by deleting references to the county department of public welfare and the State department of public welfare and referring instead to the industrial accident board; amending section 71-1008 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 204 of the Laws of 1953, and as amended by section 3, chapter 252 of the Laws of 1955, by deleting references to the state department of public

welfare and referring instead to the industrial accident board, and by having the amount of payment conform with the amount established by the 1959 Legislative Assembly; providing for a new section 71-1009, requiring the transfer of the records and payrolls from the state department of public welfare to the industrial accident board and safeguarding continued payments to present recipients of silicosis benefit payments; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

Senate Bill No. 7, introduced by Durkee, Groff, Mackay, Cumming, James: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to section 11, article XI of the Constitution of Montana vesting supervision and control of the University of Montana in a separate state board of regents." Referred to Committee on Education.

Senate Bill No. 94, introduced by DeWolfe, Durkee, Cotton, Ullom, Schoonover, Nixon: A bill for an act entitled: "An act to amend section 75-4516.1, of replacement volume 4, Revised Codes of Montana, 1947, as amended by section 4, chapter 208, Session Laws of Montana, 1951, and as further amended by section 1, chapter 202, Session Laws of Montana, 1953, relating to levy of taxes for high school district budgets and removing restrictions on the budgeting power of school trustees when federal funds are applied to financing the permissive area above the foundation program, providing for an effective date and containing a repealing clause." Referred to Committee on Education.

Senate Bill No. 95, introduced by DeWolfe, Durkee, Cotton, Ullom, Schoonover, Nixon: A bill for an act entitled: "An act to amend section 75-1723, Revised Codes of Montana, 1947, as amended by section 1, chapter 247, Session Laws of Montana, 1953, relating to fixing of tax levy for elementary school district budgets, and removing restrictions on the budgeting power of school trustees when federal funds are applied to financing the permissive thirty per cent (30%) limit area above the foundation program, providing for an effective date, and containing a repealing clause." Referred to Committee on Education.

Senate Bill No. 106, introduced by Thiessen, Cotton: A bill for an act entitled: "An act to amend section 75-4230, Revised Codes of Montana, 1947, relating to high school attendance outside the county of residence; providing for authorization of such attendance; providing for determination of residence; providing for payment of tuition; containing a repealing clause; and fixing an effective date." Referred to Committee on Education.

Senate Bill No. 114, introduced by Hibbs, Morrow: A bill for an act entitled: "An act amending section 82-1131, Revised Codes of Montana, 1947, relating to bidding requirements for construction, alteration, repair and improvement of buildings and grounds on behalf of the State of Montana; raising minimum per job figure from five hundred dollars (\$500.00) to one thousand dollars (\$1,000.00), and requiring all jobs over said figure to be done only after competitive bidding; repealing all acts and parts of acts in conflict herewith; providing effective date." Referred to Committee on Business and Industry.

Senate Bill No. 118, introduced by Thiessen, Carney, James, Brenner: A bill for an act entitled: "An act to amend sections 75-1723, 75-3616, 75-3618 and 75-3706, Revised Codes of Montana, 1947, as amended by chapter 272, Laws of 1955, providing for an increase to fifteen (15) mills in the county-wide common school levy and providing for the repeal of the school district five (5) mill common school levy; and providing that federal payments shall not be included in the foundation program; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

Senate Bill No. 131, introduced by Mackay: A bill for an act en-

titled: "An act to amend section 75-3616, R. C. M. 1947, relating to distribution of the state public school equalization fund, to provide that after the state board of education orders disbursements in the months of December, February and April that the money be disbursed in the amount of forty (40) percent of the fund before the last day of January; in the amount of twenty (20) percent of the fund before the last day of March and in the amount of forty (40) percent of the fund before the last day of June." Referred to Committee on Education.

Senate Bill No. 154, introduced by Cumming, Durkee, James, Carney: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 20, article VII of the Constitution of the State of Montana relating to the composition, powers and duties of the state board of examiners, to provide for the abolishment of the state board of prison commissioners as a constitutional body." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 182, introduced by Michels, Groff: A bill for an act entitled: "An act to amend sections 32-1018, 32-1019 and 32-1020 of the Revised Codes of Montana, of 1947, to define the crime of using the national system of interstate and defense highways and state highways as a place for the grazing or running of livestock, providing for exceptions and providing a penalty for the violation thereof, providing no presumption of inference of negligence shall arise because of a collision, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Substitute for Senate Bill No. 159, introduced by Committee on Public Health, Welfare and Safety: A bill for an act entitled: "An act to amend section 66-2401, Revised Codes of Montana, 1947, relating to plumbers in cities and towns of more than 1,000 inhabitants to require licensing of plumbers in certain other cases and to provide exceptions thereto; to amend section 66-2403, Revised Codes of Montana, 1947, as amended by chapter 25, Laws of Montana, 1959, relating to board of plumbing examiners and compensation of board members by eliminating the director of the division of sanitary engineering of the Montana state board of health or his duly designated representative and substituting therefor the duly appointed representative of the Montana state board of health who shall be a sanitary engineer and who shall be a member and secretary of the state board of plumbing examiners and by increasing the compensation for members of the board from ten dollars per diem to twenty dollars per diem; to amend section 66-2405, Revised Codes of Montana, 1947, to require master plumbers to deposit with the board a surety bond in the amount of ten thousand dollars; to amend section 66-2411, Revised Codes of Montana, 1947, relating to penalty for violation by plumbers in certain other cases and to provide exceptions thereto; and containing a saving clause." Referred to Committee on Business and Industry.

Senate Bill No. 193, introduced by McGowan: A bill for an act entitled: "An act to authorize the state board of equalization to acquire additional information reports on payments to non-residents not subject to state income tax withholding and authorizing the board to adopt rules and regulations requiring the filing of such reports; to provide that the board may order additional withholdings on certain other payments upon finding such action necessary to insure collection of Montana state income taxes upon income of nonresidents; to provide for the method of collection and payment of amounts withheld; to provide for and define the duties of withholding agents under the act and penalties for failure of such agents to withhold or pay; and to provide additional powers and duties of the state board of equalization under this act, by amending sections 84-4903.2, 84-4903.5, and 84-4903.7, Revised Codes of Montana, 1947, as enacted by sections 2, 5 and 7 of chapter 208, Session Laws of 1959, and providing a saving clause; and containing a repealing clause." Referred to Committee on Ways and Means.

Senate Joint Resolution No. 1, introduced by Durkee, Mackay: A Joint Resolution of the Senate and of the House of Representatives of the State of Montana requesting the state controller to call for bids to furnish the printing of legislative bills for the Thirty-eighth Legislative Assembly by an offset process with two printings, and in the absence of a responsible bid, to call for bids for one printing of legislative bills by the letterpress process as before. Referred to Committee on State Administration.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Jensen (Lake) in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That further consideration of House Bill No. 342 be passed for the day.

That House Bill No. 367 do pass.

That consideration of House Bill No. 206 be passed for the day.

That House Bill No. 375 do pass.

That consideration of House Bill No. 317 be passed for the day.

That House Joint Resolution No. 8 do pass.

That House Joint Resolution No. 1 be amended in the printed bill by adding the name "Raundal" to the authors of the Resolution;

And as amended, do pass.

That further consideration of House Joint Resolution No. 2 be indefinitely postponed.

That House Joint Resolution No. 12 do pass.

That House Bill No. 118 be amended in section 2, in line 6 of the printed bill, which is line 26 of the original bill, by deleting the following: "(matter deleted)" and inserting in line 7 of the printed bill before the words "ten cents" the words: "(matter deleted)";

And as amended, do pass.

That House Bill No. 280 be amended in section 11, in line 5, page 8 of the printed bill, which is line 3, page 7 of the original bill, after the word "person" by adding the following words: "who is a member of the organized national guard of the State of Montana or";

And as amended, do pass.

That Substitute House Bill No. 297 do pass.

That Substitute House Bill No. 310 do pass.

That House Bill No. 321 do pass.

That House Bill No. 324 do pass.

That House Bill No. 341 do pass.

That consideration of House Bill No. 345 be passed for the day.

That consideration of House Bill No. 207 be passed for the day.

That further consideration of Substitute House Bill No. 359 be passed for the day.

That House Bill No. 361 do pass.

That House Bill No. 368 do pass.

JENSEN (Lake), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 449, 215, 225, 164, House Joint Memorial No. 16 and Substitute for Substitute House Bill No. 429, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a. m., Tuesday, February 14, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

February 14, 1961

House convened, pursuant to adjournment, at 9:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Laas and Lundgren, excused for personal business, and Spilde, excused due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-third Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 348, 367, 375, 398, 354, 355, 447, 166, 117, 371, 362, 324, 341, 368, 361, 321, 118, 280, Substitute House Bills Nos. 269, 203, 310, 297, House Substitute for Senate Bill No. 102, House Joint Memorial No. 15, and House Joint Resolutions Nos. 1, 8 and 12.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 304.

REED, Chairman.

I have examined House Bill No. 304 introduced by me and find the same to be correct.

JENSEN (Lake).

The Speaker signed House Bill No. 304 in open session, the title having first been read.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and

Safety, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do pass.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be not concurred in.

HAUGHEY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 13, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

Substitute House Bill No. 175, introduced by Livestock and Ranges Committee.

House Bill No. 211, introduced by Haughey, Goan and Crum.

Substitute House Bill No. 216, introduced by Business and Industry.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 13, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 115, introduced by Johnson, Thompson, Hanks, Hibbard, Dykstra and Judge.

House Bill No. 438, introduced by Nichols.

House Bill No. 439, introduced by Nichols.

Substitute House Bill No. 205, introduced by Committee on Appropriations.

House Bill No. 189, introduced by Gustafson and Higham.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measures having been read at length:

Substitute House Bill No. 295 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjorn-

son, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent or not voting: Aasheim, Abel, Jensen (Mineral), McOmber, Sullivan (Silver Bow). Total 5.

Excused: Hibbard, Laas, Lundgren, Nichols, Regan, Reinecke, Rygg, Spilde. Total 8.

House Bill No. 40 being a bill requiring a two-thirds vote, Anderson (Yellowstone) requested a call of the House. Sufficient seconds arose and a roll call followed. After progress was reported, Anderson (Yellowstone) moved the call of the House be dispensed with. Motion carried.

House Bill No. 40 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lombardo, Lord, Lucas, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 73.

Noes: Aasheim, Bardanouve, Barnard, Bradford, Conklin, Daniels, Emmons, Eskildsen, Harper, Lewis, Mernin, Moudree, Raundal, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt. Total 17.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 40, introduced by Anderson (Yellowstone), Loman, Lucas, Burrell, Smith, Haughey, Seymour, Pierce, Reed, Blewett, Hawks: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 2 of article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That the Constitution of the State of Montana be amended as hereinafter provided and that the question of such amendment be submitted to the qualified electors of the State of Montana for their approval or rejection at the general election to be held in November, 1962.

Section 2. That section 2 of article VII of the Constitution of the State of Montana be and the same is hereby amended to read as follows:

"Section 2. The officers provided for in section 1 of this article, shall

be elected by the qualified electors of the state at the time and place of voting for members of the legislative assembly, and the persons respectively, having the highest number of votes for the office voted for shall be elected; provided, however, that names of the candidates for governor and lieutenant-governor of each political party shall be so arranged on the ballot at the general election that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately. "(Matter deleted)" If two or more shall have an equal and the highest number of votes for any one of said offices the two houses of the legislative assembly, at its next regular session, shall forthwith by joint ballot, elect one of such persons for said office, provided that the governor and lieutenant-governor thus elected by the two houses of the legislative assembly shall be of the same political party. The returns of election for the officers named in section 1 shall be made in such manner as may be prescribed by law, and all contested elections of the same, other than provided for in this section, shall be determined as may be prescribed by law."

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1962, which shall have printed thereon "Constitutional Amendment to provide that the Governor and Lieutenant-Governor shall be of the same political party," followed by all of section 2 of article VII of the Constitution of the State of Montana as proposed by this act. There shall also be printed on said official ballot, below the said section, squares and the words as follows:

- ☐ For the foregoing Amendment to the Constitution.
- ☐ Against the foregoing Amendment to the Constitution.

Each elector who approves this amendment shall mark an "X" in the first square above printed and each elector who rejects it shall mark an "X" in the second square.

Section 4. The votes cast for and against this amendment above proposed shall be counted, canvassed and determined by such officials, and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the governor of the state shall so declare by public proclamation and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

House Bill No. 88 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bradford, Brenner, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Etchart, Haines, Hanks, Harper, Hazelbaker, Healy, Higham, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rygg, Schye, Seymour, Sheldon, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Wright, Mr. Speaker. Total 68.

Noes: Bentz, Blewett, Broeder, Conklin, Dykstra, Falkenstern, Goan, Gustafson, Hall, Hauohey, Hibbard, Hilling, Jenkins, Keller, Kolar, Murray, Nelstead, Reed, Rosell, Schwinden, Thompson, Weeks. Total 22.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 88, introduced by Aasheim, Bradford, Nichols, Haines, Lucas, Stranahan, Stimatz, Judge, Wayrynen, Lord, Baldwin, Loman, Hawks, Daniels, Kvaalen, Higham, Hanks: A bill for an act entitled: "An

act to submit to the qualified electors of the State of Montana an amendment to section 9, Article XIX of the Constitution of the State of Montana, relating to constitutional amendments, to provide that six (6) amendments may be submitted at the same elections; and containing a repealing clause." Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 9, article XIX of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1962.

Section 2. That section 9 of article XIX of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

"Section 9. Amendments to this constitution may be proposed in either house of the legislative assembly, and if the same shall be voted for by two-thirds of the members elected to each house, such proposed amendments, together with the ayes and nays of each house thereon, shall be entered in full on their respective journals; and the secretary of state shall cause the said amendment or amendments to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the legislative assembly; and at said election the said amendment or amendments shall be submitted to the qualified electors of the state for their approval or rejection and such as are approved by a majority of those voting thereon shall become part of the constitution. Should more amendments than one be submitted at the same election, they shall be so prepared and distinguished by numbers or otherwise than each can be voted upon separately; provided, however, that not more than six (6) (matter deleted) amendments to this constitution shall be submitted at the same election."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon the official ballot as provided by law; and there shall be printed on such ballots the title of this act and the following words:

☐ For the above Amendment to the Constitution.

☐ Against the above Amendment to the Constitution.

Section 4. The votes cast for and against this amendment above proposed shall be counted, canvassed and determined by such officials, and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the governor of the state shall so declare by public proclamation and said amendment shall be in full force and effect as a part of the Constitution of the State of Montana from and after the date of such proclamation.

Section 5. All acts or parts of acts in conflict herewith are hereby repealed.

House Bill No. 262 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Eтчart, Goan, Gustafson, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Lewis, Loman, Lombardi, Mathers, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 71.

Noes: Baldwin, Bentz, Burrell, Dykstra, Falkenstern, Hall, Hibbard,

Jenkins, Keller, Kvaalen, Leuthold, Lord, Lucas, Murray, Nelstead, Reinecke, Rygg, Smith, Stearns. Total 19.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 169 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Edwards, Emmons, Eskildsen, Etchart, Gustafson, Haines, Hanks, Harper, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, McOmber, Melcher, Mernin, Murray, Nichols, Page, Picard, Raundal, Regan, Rosell, Schwinden, Seymour, Shelden, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 68.

Noes: Crum, Dykstra, Falkenstern, Goan, Hall, Haughey, Hibbard, Johnson, Keller, Kolar, Kvaalen, Lord, Mathers, Moudree, Nelstead, Pierce, Reinecke, Rygg, Smith, Mr. Speaker. Total 20.

Absent or not voting: Abel, Reed, Schye. Total 3.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 399 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Bradford, Brenner, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Lewis, Loman, Lombardi, Lord, Lucas, McOmber, Melcher, Mernin, Moudree, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 72.

Noes: Barnard, Blewett, Broeder, Burrell, Conklin, Edwards, Hall, Kvaalen, Leuthold, Mathers, Murray, Nichols, Reinecke, Rygg, Shelden, Stranahan, Thompson, Wright. Total 18.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 117 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lord, Lucas, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Conklin, Lombardi, Mernin, Raundal, Reed, Twedt. Total 6.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 371 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Higham, Mr. Speaker. Total 82.

Noes: Bashor, Burrell, Gustafson, Kolar, Kvaalen, Rygg. Total 6.

Absent or not voting: Abel, Blewett, Nichols. Total 3.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 362 was passed by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Brenner, Bush, Conklin, Coulter, Crum, Daniels, Edwards, Emmons, Etchart, Goan, Gustafson, Hanks, Healy, Jenkins, Jensen (Mineral), Judge, Kolar, Lewis, Lombardi, Lucas, McOmber, Melcher, Mernin, Moudree, Nichols, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Schye, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Weeks, Wright, Mr. Speaker. Total 49.

Noes: Aasheim, Adams, Baldwin, Bentz, Blewett, Bradford, Broeder, Burrell, Cerovski, Dykstra, Eskildsen, Falkenstern, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Lord, Mathers, Murray, Nelstead, Page, Rosell, Rygg, Schwinden, Seymour, Smith, Stearns, Stranahan, Swanz, Wayrynen. Total 38.

Absent or not voting: Abel, Harper, Loman, Twedt. Total 4.

Excused: Laas, Lundgren, Spilde. Total 3.

House Joint Memorial No. 15 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Kolar. Total 1.

Absent or not voting: Abel, Rygg. Total 2.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 355 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Aasheim, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Daniels, Eskildsen, Harper, McOmber, Moudree, Raundal, Reed, Twedt. Total 15.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 447 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Abel, McOmber. Total 2.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 166, requiring a two-third vote, failed to pass by the following vote:

Ayes: Aasheim, Adams, Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Bentz, Bradford, Brenner, Burrell, Cerovski, Daniels, Edwards, Falkenstern, Gustafson, Haines, Hall, Hazelbaker, Healy, Higham, Jenkins, Jensen (Lake), Judge, Leuthold, Lewis, Loman, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Picard, Pierce, Regan, Schwinden, Schye, Shelden, Smith, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Mr. Speaker. Total 51.

Noes: Anderson (Yellowstone), Baldwin, Beam, Blewett, Broeder, Bush, Conklin, Coulter, Crum, Dykstra, Emmons, Eskildsen, Etchart, Goan, Hanks, Harper, Haughey, Hibbard, Hilling, Jensen (Mineral), Johnson, Keller, Kolar, Kvaalen, Lombardi, Lord, Murray, Page, Raundal, Reed, Reinecke, Rosell, Rygg, Seymour, Spahr, Sullivan (Deer Lodge), Twedt, Weeks, Wright. Total 39.

Absent or not voting: Abel. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

Kvaalen moved that Substitute House Bill No. 203 be laid on the table. Motion failed to carry.

Substitute House Bill No. 203 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Crum, Dykstra, Emmons, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Leuthold, Loman, Lord, Lucas, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 72.

Noes: Bardanouve, Broeder, Coulter, Daniels, Edwards, Eskildsen, Gustafson, Harper, Jensen (Lake), Kvaalen, Lewis, Lombardi, Mernin, Picard, Raundal, Schwinden, Stimatz, Teigen. Total 18.

Absent or not voting: Rygg. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Substitute for Senate Bill No. 102 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Beam, Bentz, Burrell, Bush, Coulter, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 71.

Noes: Bardanouve, Bashor, Blewett, Bradford, Brenner, Broeder, Cerovski, Conklin, Emmons, Eskildsen, Gustafson, Harper, McOmber, Mernin, Moudree, Murray, Picard, Raundal, Rygg, Swanz. Total 20.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

Substitute House Bill No. 269 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, McOmber, Melcher, Mernin, Moudree, Nelstead, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Broeder, Keller, Mathers, Murray, Nichols, Raundal, Rygg, Schwinden, Swanz. Total 9.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 348 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 367 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 87.

Noes: Cerovski, Moudree, Picard, Wright. Total 4.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 375 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bentz, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Crum, Daniels, Edwards, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Hazelbaker, Healy, Higham, Jenkins, Jensen (Mineral), Johnson, Keller, Kolar, Kvaalen, Leuthold, Lewis, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Baldwin, Wright. Total 71.

Noes: Anderson (Yellowstone), Bashor, Beam, Blewett, Broeder, Coulter, Dykstra, Emmons, Goan, Gustafson, Harper, Haughey, Hibbard, Hilling, Jensen (Lake), Judge, Loman, Stimatz, Wayrynen, Mr. Speaker. Total 20.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 398 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison),

Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Leuthold, Loman, Lombardi, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Aasheim, Harper, Kolar, Lewis, Lord, Raundal. Total 6.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 354 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 74.

Noes: Aasheim, Abel, Bardanouve, Barnard, Brenner, Cerovski, Conklin, Coulter, Daniels, Harper, McOmber, Moudree, Raundal, Shelden, Stranahan, Twedt. Total 16.

Absent or not voting: Hilling. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Cerovski, Daniels, Harper, Mernin, Moudree, Pierce. Total 6.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Joint Resolution No. 8 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter,

Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Aasheim, Daniels, Harper, Moudree. Total 4.

Absent or not voting: Pierce. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Joint Resolution No. 12 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Leuthold, Lewis, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Gustafson, Haughey, Keller, Kvaalen, Loman. Total 5.

Absent or not voting: Pierce, Rygg. Total 2.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 118 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 79.

Noes: Bardanouve, Brenner, Eskildsen, Harper, Leuthold, McOmber, Moudree, Schwinden, Stimatz, Thompson. Total 10.

Absent or not voting: Daniels, Rygg. Total 2.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 280 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling,

Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Baldwin, Beam, Burrell, Gustafson, Hall, Johnson, Kolar, Kvaalen, Nichols, Schwinden, Thompson. Total 11.

Absent or not voting: McOmber, Raundal. Total 2.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 297 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Gustafson, Jenkins, Stranahan. Total 3.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 324 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Jenkins, Rygg. Total 2.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 341 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Bashor, Beam, Bentz, Blewett, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Goan, Gustafson, Haines, Hall, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lucas, Mathers, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Smith, Spahr, Stimatz, Sullivan (Silver Bow), Thompson, Weeks, Wright, Mr. Speaker. Total 50.

Noes: Aasheim, Abel, Asbjornson, Baldwin, Bardanouve, Barnard, Bradford, Brenner, Broeder, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Falkenstern, Hanks, Harper, Hazelbaker, Jensen (Mineral), Judge, Lewis, Lombardi, Lord, McOmber, Melcher, Mernin, Moudree, Murray, Picard, Raundal, Rygg, Schwinden, Shelden, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen. Total 41.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

Substitute House Bill No. 310 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Judge, Keller, Kolar, Leuthold, Lewis, Lord, McOmber, Melcher, Moudree, Nelstead, Nichols, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Weeks, Wright, Mr. Speaker. Total 68.

Noes: Adams, Asbjornson, Bush, Cerovski, Conklin, Crum, Goan, Haines, Haughey, Jensen (Mineral), Johnson, Kvaalen, Loman, Lombardi, Lucas, Mathers, Mernin, Murray, Page, Rygg, Thompson, Wayrynen. Total 22.

Absent or not voting: Picard. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 368 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Brenner, Burrell, Bush, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Mathers, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 65.

Noes: Aasheim, Abel, Barnard, Bradford, Broeder, Cerovski, Conklin, Coulter, Emmons, Eskildsen, Hanks, Harper, Jenkins, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Raundal, Reinecke, Shelden, Spahr, Teigen, Twedt. Total 25.

Absent or not voting: Stimatz. Total 1.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 361 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr,

Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

House Bill No. 321 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Beam, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Edwards, Etchart, Goan, Haines, Hall, Haughey, Hazelbaker, Higham, Hilling, Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Loman, Lucas, McOmber, Murray, Page, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schye, Seymour, Swanz, Thompson, Wright, Mr. Speaker. Total 46.

Noes: Aasheim, Abel, Baldwin, Barnard, Bashor, Bentz, Burrell, Daniels, Dykstra, Emmons, Eskildsen, Falkenstern, Gustafson, Hanks, Harper, Healy, Hibbard, Jenkins, Jensen (Mineral), Judge, Kolar, Lewis, Lombardi, Lord, Mathers, Melcher, Mernin, Moudree, Nelstead, Nichols, Picard, Reinecke, Schwinden, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen, Weeks. Total 45.

Absent or not voting: None.

Excused: Laas, Lundgren, Spilde. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hazelbaker of Beaverhead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of the following Senate Amendments to House Bills be passed for the day: Nos. 114, 162, 110, 219, 180, 7 and 316.

That consideration of House Bills Nos. 395, 397, 448 and 258 be passed for the day.

That House Bill No. 342 be amended in the title by striking out in line 2 of page 1 of the printed bill, line 5, page 1 of the original bill, the following words: "31-130, R. C. M. 1947, and";

Be further amended in the title by striking all of the words in line 3, page 1 of the printed bill, lines 6 through 10 of the original bill, following the word "to" and all of lines 4, 5, 6, 7 and 8 through the word "prescribe," and inserting in lieu thereof the words: "issuance of drivers' licenses;";

Be further amended in the title by striking out in line 8 of the printed bill, line 10 of the original bill, the word "further";

Be further amended in the title by striking out in line 9 of the printed bill, line 11 of the original bill, the word "the" at the beginning of the line and inserting in lieu thereof the word: "drivers'";

Be further amended in the title by striking out in lines 10 and 11 of the printed bill, line 12 of the original bill, the words: "accordance with

such rules and regulations" and inserting in lieu thereof the words: "such form and size";

Be further amended in the title by striking out in line 14 of the printed bill, lines 15 and 16 of the original bill, the following words and figures: "four dollars (\$4.00)." and inserting in lieu thereof the words and figures: "three and 50/100 dollars (\$3.50).";

After the foregoing amendments have been made the title of the bill will read: A bill for an act entitled: "An act to amend section 31-135, R. C. M. 1947, relating to issuance of drivers' licenses; to provide that drivers' licenses shall contain a photograph of the operator or chauffeur in such form and size as the Montana Highway Patrol Board shall prescribe; to provide for an increase in the license fee from three dollars (\$3.00) to three and 50/100 dollars (\$3.50)."

Be further amended in Section 1 by striking it out in its entirety and re-numbering Section 2 of the printed and the original bill by changing it to Section 1;

Be further amended in Section 2 by striking out in line 8 of page 2 of the printed bill, lines 20 and 21, page 2 of the original bill, the words: "four dollars (\$4.00)" and inserting in lieu thereof the words: "three and 50/100 dollars (\$3.50).";

Be further amended by striking out in line 13 of page 2 of the printed bill, line 28, page 2 of the original bill, the words "bear thereon," and inserting in lieu thereof the words: "contain a photograph of such licensee in such size and form as may be prescribed by the highway patrol board,";

Be further amended by striking out in line 19 of page 3 of the printed bill, line 2, page 3 of the original bill, the comma ",", following the word "licensee" and inserting in lieu thereof a period ".";

Be further amended by striking out in line 19 of page 3 of the printed bill, starting with line 2, page 3 of the original bill, all of the words starting with "but all . . . and through line 23 of page 3 of the printed bill;

Be further amended by striking all of sub-section (c) and re-numbering sub-section (d) to (c) and sub-section (e) to (d);

And as amended, do pass.

That House Bill No. 206 do pass.

That House Bill No. 176 be amended in Section 3 by striking out in line 48, page 5 of the printed bill, which is line 10, page 5 of the original bill, the words and punctuation: "(matter deleted)" and inserting a new paragraph in lieu thereof: "In addition to the bond and license fee, a public warehouseman shall carry adequate insurance approved by the commissioner of agriculture to protect the holders of warehouse receipts from loss. A public warehouseman license shall not be issued or may be revoked for failure to comply with this insurance requirement.";

Be further amended in Section 3 in line 38, page 5 of the printed bill, which is line 30, page 4 of the original bill, after the word "grain" by adding the words: "And save further that a producer may buy and haul grain for his own use and that of his neighbors in his community, and save further that the operator of a feed lot in the State of Montana may buy and haul grain for use on his own lot.";

And as amended, do pass.

That the enacting clause be stricken from House Bill No. 148.

That House Bill No. 37 do pass.

That House Bill No. 36 be amended in Section 1 by striking out in lines

14 and 15, page 1 of the original bill, being line 4, page 1 of the printed bill, the following words and punctuation, to-wit: "Except as provided in sub-section (2) of this section," and capitalizing the first letter in the word "these" in line 15 of the original bill, being line 4 of the printed bill;

Be further amended in Section 1 by striking out in line 23 of the original bill, being line 11 of the printed bill, the following word and punctuation: "However," and capitalizing the first letter in the word "unpledged";

And as amended, do pass.

HAZELBAKER, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.
House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 do not pass.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 do not pass.

NICHOLS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 14, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bills are herewith returned to the House:

House Bill No. 195 introduced by Committee on Judiciary.

House Bill No. 196 introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve

itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hazelbaker of Beaverhead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 263 be passed for the day.

That House Bill No. 436 be amended in the title by striking out in lines 5 and 6 of the printed bill, lines 7 and 8 of the original bill, after the word "cesspools" the words "servicing the disposal of sewage of five (5) or more families, in inhabited areas," and inserting in lieu thereof the words "in areas inhabited by children or attractive to children";

Be further amended in the title by striking out in line 13 and 14 of the printed bill, lines 14 and 15, page 1 of the original bill, after the word "commissioners" the words "clerk and recorders,";

Be amended in Section 1 by striking out in line 3 of page 1 of the printed bill, line 22, page 1 of the original bill, after the word "waste" the words "of five (5) or more families, in inhabited areas is affected with the public interest" and inserting in lieu thereof the words "in areas where the presence of children or the attractiveness of the areas to children make them dangerous to the lives of children is affected with a public interest.;"

Be further amended in Section 1 by striking out in line 5 of page 1 of the printed bill, line 26, page 1 of the original bill, after the words "prevent the" the word "unnecessary";

Be amended in Section 2 by striking out in line 2 of page 2 of the printed bill, line 2, page 2 of the original bill, after the word "cesspools" the words "within the county" and inserting in lieu thereof the words "in inhabited areas within their respective counties";

Be further amended in Section 2 by striking out in line 5 of page 2 of the printed bill, line 5, page 2 of the original bill, after the words "of the" the words "various boards" and inserting in lieu thereof the word "board";

Be further amended in Section 2 by inserting in line 6 of page 2 of the printed bill, line 5 of page 2 of the original bill, after the word "commissioners" the words "of the county";

Be further amended in Section 2 by inserting in line 9 of page 2 of the printed bill, line 10 of page 2 of the original bill, after the word "cesspool" the words "in inhabited areas";

Be amended in Section 3 by striking out in line 3 of page 2 of the printed bill, line 13 of page 2 of the original bill, after the words "cesspools, the" the word "interested";

Be further amended in Section 3 by inserting in line 3 of page 2 of the printed bill, line 14 of page 2 of the original bill, after the word "commissioners" the words "of the county";

Be further amended in Section 3 by striking out in line 4 of page 2 of the printed bill, line 15 of page 2 of the original bill, after the words "by the" the words "county clerk and recorder" and inserting in lieu thereof the words "sheriff, either personally or by certified mail";

Be further amended in Section 3 by striking out in lines 5, 6 and 7 of the printed bill, lines 16, 17 and 18 of the original bill, after the word "cesspools" in line 5 of page 2 of the printed bill, line 16 of page 2 of the original bill the words "by said owner or owners either an individual, firm, partnership or corporation;" and inserting in lieu thereof a period;

Be further amended in Section 3 by striking out in line 7 of page 2 of the printed bill, line 19 of page 2 of the original bill, after the word "given" the words "twenty (20) days" and inserting in lieu thereof the words "sixty (60) days after receipt of notice";

Be further amended in Section 3 by striking out in line 8 of page 2 of the printed bill, line 19 of page 2 of the original bill, after the words "with the" the word "interested";

Be further amended in Section 3 by striking out in line 10 of page 2 of the printed bill, line 23 of page 2 of the original bill, after the word "Than" the word "twenty (20)" and inserting in lieu thereof the word "sixty (60)";

Be further amended in Section 3 by striking out in lines 12 and 13 of page 2 of the printed bill, lines 24 and 25 of page 2 of the original bill, after the words "cesspools to" the words "adhere to said corrective and protective rules, orders and regulations, the interested boards" and inserting in lieu thereof the words "comply with such order, the board";

Be amended in Section 4 by striking out in line 1 of page 3 of the printed bill, line 30 of page 2 of the original bill after the words "of the" the word "boards" and inserting in lieu thereof the word "board";

Be amended in Section 5 by striking out in line 3 of page 3 of the printed bill, line 8 of page 3 of the original bill, after the words "by the" the word "interested";

And as amended, do pass.

That House Bill No. 435 do pass.

That House Bill No. 406 do pass.

That consideration of Substitute House Bill No. 400 be passed for the day.

That House Bill No. 365 be amended in Section 1 in line 5, page 2 of the original bill, which is line 22, page 2 of the printed bill, by adding the word "animal" after the word "single" and before the word "race" in the first line of the second paragraph thereof;

And as amended, do pass.

That Substitute House Bill No. 391 do pass.

That House Bill No. 317 do pass.

That Substitute House Bill No. 35 do pass.

HAZELBAKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 125 and Substitute House Bill No. 312, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 206, 37, 342, 176 and 36.

REED, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hazelbaker of Beaverhead in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 93 do pass.

That Substitute House Bill No. 173 be amended in Section 3, pages 4 and 5 of the printed bill, beginning in line 43 and ending with line 52, page 3, line 28 of the original bill by deleting the material beginning with "In any budget year" through line 3, page 4; and substitute in lieu thereof the following: "Whenever the budget of any district includes among its sources of financial support federal funds for the general fund budget and the maximum permissive amount is established and restricted by the millage limitation set forth above, the permissive amount for such district may be extended by the amount of such federal funds to a maximum which shall be determined by the percentage limitation, and such extended permissive amount shall be the permissive amount for the district for the budget year.";

Be further amended in Section 3, page 5, lines 24 through 27 of the original bill, page 7 beginning with line 112 and ending with line 115 of the printed bill, after the words "provided, however, that" by deleting the following words and punctuation: "no school district on which such levy is made in an amount of less than five (5) mills shall receive any apportionment for its elementary foundation program from county equalization or from the state public school equalization fund." and inserting in lieu thereof the following words and punctuation: "of the total number of mills to be levied on the district for the elementary foundation program, the basic district levy required for apportionment from the county and state equalization funds shall be that district levy which is set forth in sections 75-3616 and 75-3618 as a source of revenue which must be used to finance the foundation program before county and state equalization funds may be distributed to the district.";

Be further amended in Section 6, page 15, lines 50 through 57 of the printed bill, page 12, line 1 of the original bill, by deleting beginning with "In any budget year" through all of line 7; and substituting in lieu thereof the following: "Whenever the budget of any high school includes among its sources of financial support federal funds for the general fund budget and the maximum permissive amount is established and restricted by the millage limitation set forth above, the permissive amount for such high school may be extended by the amount of such federal funds to a maximum which shall be determined by the percentage limitation, and such extended permissive amount shall be the permissive amount for the high school for the budget year.";

Be further amended in Section 7, page 24, lines 61 through 67 of the printed bill, page 18, line 21 of the original bill by deleting all of sub-section 3 beginning with "(3) This section" and ending with "budget." on line 26;

And as amended, do pass.

That House Bill No. 186 do pass.

That House Bill No. 194 be amended in the title, in the last line thereof by deleting the period and quotation marks and inserting the following: "; and containing an effective date.";

And as amended, do pass.

That House Bill No. 229 do pass.

That House Bill No. 242 do pass.

That consideration of House Bill No. 446 be passed for the day.

That House Joint Memorial No. 18 do pass.

That House Bill No. 449 do pass.

HAZELBAKER, Chairman.

Motion was made by Hazelbaker for adoption of the Committee report.

Substitute motion was made by Kvaalen that House Bill No. 242 be segregated from the Committee report. Substitute motion failed to carry. Report adopted.

Mr. Speaker in the Chair.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 206 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Mathers, McOmber, Mernin. Total 3.

Excused: Laas, Spilde. Total 2.

House Bill No. 37 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Bradford, Broeder, Burrell, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Hall, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lundgren, Melcher, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Stearns, Stimatz, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 60.

Noes: Aasheim, Abel, Bardanouve, Blewett, Brenner, Bush, Cerovski, Conklin, Coulter, Emmons, Eskildsen, Haines, Hanks, Harper, Higham, Jensen (Mineral), Lewis, Lombardi, Lucas, Page, Raundal, Reed, Seymour, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 29.

Absent or not voting: Mathers, McOmber, Mernin. Total 3.

Excused: Laas, Spilde. Total 2.

House Bill No. 342 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson

(Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks. Mr. Speaker. Total 83.

Noes: Conklin, Daniels, Etchart, Gustafson, Haughey, Kolar, Kvaalen, Wright. Total 8.

Absent or not voting: Mernin. Total 1.

Excused: Laas, Spilde. Total 2.

House Bill No. 176 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Haines, Hall, Hanks, Harper, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Leuthold, Lewis, Loman, Lombardi, Mathers, McOmber, Melcher, Moudree, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen. Total 68.

Noes: Adams, Broeder, Burrell, Conklin, Etchart, Goan, Gustafson, Haughey, Hazelbaker, Kolar, Kvaalen, Lord, Lucas, Lundgren, Murray, Nichols, Reinecke, Rygg, Smith, Stearns, Weeks, Wright, Mr. Speaker. Total 23.

Absent or not voting: Mernin. Total 1.

Excused: Laas, Spilde. Total 2.

House Bill No. 36 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Bradford, Brenner, Broeder, Burrell, Conklin, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 76.

Noes: Aasheim, Blewett, Bush, Cerovski, Coulter, Emmons, Haines, Harper, Higham, Lucas, Page, Reed, Seymour, Sullivan (Deer Lodge), Twedt. Total 15.

Absent or not voting: Mernin. Total 1.

Excused: Laas, Spilde. Total 2.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a. m., Wednesday, February 15, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 15, 1961

House convened, pursuant to adjournment, at 9:00 a. m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-fourth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 449, 317, 436, 365, 406, House Joint Memorial No. 18 and Substitute House Bills Nos. 391 and 435.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 164, respectfully report as follows: That Senate Bill No. 164 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 198, respectfully report as follows: That Senate Bill No. 198 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 98, respectfully report as follows: That Senate Bill No. 98 be concurred in.

LEUTHOLD, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 14, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 244—Introduced by Conklin, et al.

Sincerely,

DONALD G. NUTTER
Governor

February 14, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 190—Introduced by Bardanouve and Eskildsen.

House Bill No. 161—Introduced by Nelstead.

House Bill No. 234—Introduced by Dykstra, Loman and Haines.

House Bill No. 145—Introduced by Dykstra, Haines and Loman.

House Bill No. 83—Introduced by Bush, Seymour and Pierce.

House Bill No. 233—Introduced by Anderson (Yellowstone).

House Joint Resolution No. 6—Introduced by Anderson (Yellowstone), Haines, Regan, Hawks and Bashor.

Very truly yours,

DONALD G. NUTTER
Governor

February 14, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Taxation, report adopted, and the same are herewith returned to the House:

House Bill No. 89 introduced by Dykstra, Haines and Daniels.

House Bill No. 411 introduced by Sullivan (Deer Lodge), Cerovski and Emmons.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 14, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 268 introduced by Barnard and Schwinden.

Substitute House Joint Memorial No. 9 introduced by Committee on Constitution, Elections and Federal Relations.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 14, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 5 introduced by Broeder, Lundgren, Cerovski and Daniels.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 186, 194, 93, 242, 229, Substitute House Bill No. 35.

REED, Chairman.

THIRD READING OF HOUSE BILLS

The following bills having been read three several times, history and title agreed to, were disposed of in the following manner:

Substitute House Bill No. 391 was passed by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 63.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Coulter, Daniels, Emmons, Eskildsen, Harper, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 30.

Absent or not voting: Adams. Total 1.

Excused: None.

Substitute House Bill No. 435 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Adams, Bardanouve, Gustafson, Haughey, Jenkins, Kvaalen, Lord, Mathers, Moudree, Pierce, Schwinden. Total 11.

Absent or not voting: None.

Excused: None.

House Bill No. 449 failed to pass by the following vote:

Ayes: Abel, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Bush, Conklin, Coulter, Haines, Healy, Jensen (Mineral), Jensen (Lake), Judge, Keller, Leuthold, Lewis, Loman, Lombardi, Lucas, McOmber, Melcher, Mernin, Moudree, Nelstead, Page, Picard, Raundal, Reed, Regan, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks. Total 42.

Noes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Brenner, Broeder, Burrell, Cerovski,

Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Johnson, Kolar, Kvaalen, Laas, Lord, Lundgren, Mathers, Murray, Nichols, Pierce, Reinecke, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Deer Lodge), Swanz, Wright, Mr. Speaker. Total 51.

Absent or not voting: Rygg. Total 1.

Excused: None.

House Bill No. 317 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 436 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 365 failed to pass by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Blewett, Bradford, Brenner, Bush, Conklin, Coulter, Daniels, Emmons, Eskildsen, Haughey, Jensen (Mineral), Jensen (Lake), Judge, Kolar, Kvaalen, Lewis, Loman, Lord, McOmber, Melcher, Mernin, Murray, Nelstead, Page, Raundal, Rygg, Schwinden, Shelden, Stearns, Stimatz, Teigen, Twedt. Total 36.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Hazel-

baker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Keller, Laas, Leuthold, Lombardi, Lucas, Lundgren, Mathers, Moudree, Nichols, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Smith, Spahr, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 56.

Absent or not voting: Cerovski, Harper. Total 2.

Excused: None.

Melcher moved that House Bill No. 406 be laid on the table. Motion failed to carry.

House Bill No. 406 was passed by the following vote:

Ayes: Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Falkenstern, Gustafson, Haines, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Johnson, Kolar, Laas, Lucas, Lundgren, Mathers, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Reinecke, Rosell, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 50.

Noes: Aasheim, Abel, Adams, Anderson (Yellowstone), Bardanouve, Blewett, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Etchart, Goan, Harper, Haughey, Hilling, Jensen (Lake), Judge, Keller, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, McOmber, Melcher, Mernin, Raundal, Regan, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt. Total 43.

Absent or not voting: Rygg. Total 1.

Excused: None.

House Joint Memorial No. 18 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Aasheim, Broeder, Goan, Gustafson, Johnson, Kvaalen, Schwinden, Thompson. Total 8.

Absent or not voting: Hilling. Total 1.

Excused: None.

House Bill No. 186 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Bush, Cerovski, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Jensen (Mineral), Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols,

Picard, Raundal, Regan, Reinecke, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 73.

Noes: Beam, Broeder, Burrell, Conklin, Dykstra, Hibbard, Hilling, Jenkins, Jensen (Lake), Keller, Kolar, Lucas, Lundgren, Nelstead, Page, Pierce, Reed, Rosell, Rygg, Seymour, Weeks. Total 21.

Absent or not voting: None.

Excused: None.

House Bill No. 194 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Higham, Jensen (Mineral), Judge, Keller, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Pierce, Raundal, Regan, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 65.

Noes: Adams, Beam, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Goan, Gustafson, Haughey, Hibbard, Hilling, Jenkins, Jensen (Lake), Johnson, Kolar, Kvaalen, Lucas, Lundgren, Mathers, Murray, Nelstead, Reed, Reinecke, Rosell, Rygg, Sullivan (Silver Bow), Thompson. Total 29.

Absent or not voting: None.

Excused: None.

House Bill No. 93 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: Conklin, Page. Total 2.

Absent or not voting: None.

Excused: None.

House Bill No. 242 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Falkenstern, Haines, Hall, Harper, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rygg, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge),

Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 69.

Noes: Adams, Bashor, Beam, Bentz, Blewett, Broeder, Edwards, Etchart, Goan, Gustafson, Hanks, Haughey, Hilling, Keller, Kolar, Kvaalen, Lord, McOmber, Raundal, Rosell, Schwinden, Schye, Seymour, Stranahan. Total 24.

Absent or not voting: Bardanouve. Total 1.

Excused: None.

House Bill No. 229 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Adams, Edwards, Kolar. Total 3.

Absent or not voting: Hibbard. Total 1.

Excused: None.

Substitute House Bill No. 35 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 84.

Noes: Cerovski, Conklin, Jenkins, Mernin, Moudree, Pierce, Mr. Speaker. Total 7.

Absent or not voting: Bardanouve, Daniels, Schwinden. Total 3.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hibbard of Lewis and Clark in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Amendments to the following House Bills be passed for the day: Nos. 114, 162, 110, 219, 180, 7 and 360.

That House Bill No. 448 do pass.

That House Bill No. 446 do pass.

That House Bill No. 345 be amended in Section 1, Schedule A, in the line between lines 31 and 32 and line 32, page 3, and lines 1 through 4, inclusive, page 4, of the original bill, being lines 51 through 56, inclusive, page 4 of the printed bill, by striking the figures \$20.00, \$28.00, \$36.00, \$46.00, \$56.00 and \$68.00 and inserting in lieu thereof the figures \$18.00, \$23.00, \$29.00, \$38.00, \$48.00 and \$59.00;

Be amended further in Section 1, Schedule B, same lines and pages, by striking the figures \$14.00, \$20.00, \$25.00, \$32.00, \$39.00 and \$48.00 and inserting in lieu thereof the figures \$13.00, \$16.00, \$20.00, \$27.00, \$34.00 and \$41.00; and as amended, do pass.

That House Bill No. 395 be amended in Section 1, by deleting from lines 6, 12 and 13, and 22 of the printed bill, and from corresponding lines of the amended original bill, the word "government" in each of three instances and by inserting in lieu thereof the word "governmental"; and as amended, do pass.

That House Bill No. 397 do pass.

That House Bill No. 263 be amended in Section 3 by striking out in line 15 of page 3 of the printed bill, which is line 17, page 3 of the original bill, the period "." and inserting in lieu thereof a semicolon ";" and the words "but the term 'distribute' shall not include any sale, consignment or supplying of commercial feed after the first and original distribution within the state."; and

Be further amended in Section 4, by striking out in lines 20, 21, 22 and 23, page 6 of the printed bill, which is lines 16 to 20, page 5 of the original bill, beginning with the words "The commissioner" and ending with the words "such package" and inserting in lieu thereof the words: "The commissioner may permit the alternative listings of ingredients of comparable feeding value on the registration, provided the label for each container shall state the specific ingredients therein."; and as amended, that House Bill No. 263 do pass.

HIBBARD, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 1:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: Substitute House Bill No. 173.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Harper that the House reconsider its previous action this day in failing to pass House Bill No. 449 on Third Reading. After debate, Schwinden moved the previous question. Motion carried. Motion of Harper carried.

Motion was made by Schwinden that House Bill No. 449 be placed on calendar for Third Reading. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 173 failed to pass by the following vote:

Ayes: Adams, Anderson (Yellowstone), Baldwin, Beam, Bentz, Blewett, Bush, Conklin, Crum, Edwards, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Higham, Hilling, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Murray, Nelstead, Pierce, Rosell, Rygg, Seymour, Sullivan (Silver Bow), Thompson, Weeks. Total 37.

Noes: Aasheim, Abel, Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Bradford, Brenner, Broeder, Burrell, Cerovski, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Harper, Healy, Hibbard, Jenkins, Jensen (Mineral), Judge, Laas, Lewis, Mathers, McOmber, Melcher, Moudree, Page, Raundal, Reed, Regan, Reinecke, Schwinden, Schye, Shelden, Smith, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Wright. Total 48.

Absent or not voting: Lombardi, Mernin, Picard, Spahr, Spilde, Stimatz. Total 6.

Excused: Gustafson, Nichols, Mr. Speaker. Total 3.

House Bill No. 449 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Emmons, Haines, Harper, Haughey, Healy, Higham, Jensen (Lake), Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lucas, Lundgren, Mathers, McOmber, Melcher, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Shelden, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks. Total 56.

Noes: Adams, Anderson (Madison), Asbjornson, Beam, Cerovski, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Hall, Hanks, Hibbard, Hilling, Jenkins, Jensen (Mineral), Johnson, Kvaalen, Lord, Moudree, Murray, Rosell, Schye, Seymour, Smith, Stearns, Stranahan, Wright. Total 29.

Absent or not voting: Hazelbaker, Lombardi, Mernin, Picard, Spahr, Spilde, Stimatz. Total 7.

Excused: Gustafson, Mr. Speaker. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hibbard of Lewis and Clark in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on General Orders, recommend the following:

That House Bill No. 215 be amended in the title by striking out in line 6 of the printed bill, which is line 8 of the original bill, the words and figures "ten dollars (\$10.00)" and inserting the words and figures: "eight dollars (\$8.00)";

Be further amended in the title in lines 7 and 8 of the printed bill,

which is line 10 of the original bill, by striking out the words and figures "fifteen dollars (\$15.00)" and inserting the words and figures: "eleven dollars (\$11.00)";

Be further amended in Section 1 by striking out in line 12 of the printed bill, which is line 28, page 1 of the original bill, the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "eight dollars (\$8.00)";

Be further amended in Section 1 in lines 13 and 14 of the printed bill, which is line 30, page 1 of the original, by striking out the words and figures "fifteen dollars (\$15.00)" and substituting in lieu thereof the words and figures "eleven dollars (\$11.00)";

And as amended, that House Bill No. 215 do pass.

That consideration of House Bill No. 164 be indefinitely postponed.

That further consideration of House Joint Memorial No. 16 be indefinitely postponed.

That Substitute for Substitute House Bill No. 429 do pass.

That House Bill No. 207 do pass.

That Substitute House Bill No. 359 be amended in the title by striking out in lines 5 and 6 of the printed bill, which is line 7, page 1 of the original bill, after the word "geriatrics" the comma ",", and the words "and old soldiers" and inserting in lieu thereof the word "and" after the word "geriatrics";

Be further amended in section 1 by striking out in line 7 of the printed bill, which is line 18, page 1 of the original bill, the comma after the word "geriatrics" and the words "and old soldiers" and inserting in lieu thereof the word "and" after the word "geriatrics";

Be further amended in section 2 by striking out lines 23 through 29 inclusive of the original bill, being lines 32 through 37 inclusive of the printed bill the following, to-wit: "Except that in the event there are adequate facilities available at the Montana state tuberculosis sanitarium, they may accept patients of the type referred to in section 80-201 of this chapter. Application for admission, laws, rules and regulations pertaining to the care and custody of patients in other state institutions shall apply at the Montana state tuberculosis sanitarium." and inserting in lieu thereof the following, to-wit: "In the event there are adequate facilities available at the Montana state tuberculosis sanitarium, the executive board of the sanitarium may also accept geriatric and senile patients. Applications for admission, laws, rules and regulations pertaining to the care and custody of geriatric and senile patients in other state institutions shall apply to said geriatric and senile patients at the Montana state tuberculosis sanitarium." and as amended, that Substitute House Bill No. 359 do pass.

That Substitute House Bill No. 400 be amended in the title by striking out in line 21, page 1 of the original bill, being the last line of the title on page 1 of the printed bill, the quotation mark (") and period (.) and inserting in lieu thereof the following words and punctuation: "; and providing that nothing in this act contained shall impair any obligations contained in any bond, debenture, or contract issued, entered into and executed prior to the effective date of this act.";

Be further amended in section 1 by striking out in line 11, page 2 of the printed bill, lines 2 and 3, page 2 of the original bill, following the word "engineer" the following words "licensed and";

Be further amended in section 1 by adding the following sentence after the word "pleasure." in line 4, page 2 of the printed bill, which is line 27, page 1 of the original bill: "The appointment of such members shall be

submitted by the Governor to the Senate for confirmation when the Senate next shall be in session after such appointment.”;

Be further amended in section 2 by striking out in line 9 thereof of the printed bill, which is line 19, page 2 of the original, the period following the word “districts”, and inserting in lieu thereof a comma, and inserting immediately after said comma the following: “and does not include any facility or structure intended or used as a component part of a highway.”;

Be further amended in section 2, part (3) by striking out in lines 12 and 13 of the printed bill, which is line 23, page 2 of the original, the words and figures: “two thousand five hundred dollars (\$2,500.00)” and inserting in lieu thereof the words and figures: “three thousand five hundred dollars (\$3,500.00)”;

Be further amended in Section 8, Part (1) by striking out in lines 1 and 2, page 5 of the printed bill, which is page 4, lines 26 and 27, of the original, following the word “exceeds” the following words and figures: “two thousand five hundred dollars (\$2,500.00)” and inserting in lieu thereof the words and figures: “three thousand five hundred dollars (\$3,500.00)”;

Be further amended in section 8, part (2) by striking out in line 7, page 5 and line 8, page 6 of the printed bill, which is line 32, page 4 and line 1, page 5 of the original bill, following the word “exceeds” the following words and figures: “two thousand five hundred dollars (\$2,500.00)” and inserting in lieu thereof the following words and figures: “three thousand five hundred dollars (\$3,500.00)”;

Be further amended in section 8, after part (3) by adding the following figure and punctuation at the beginning of line 11, page 6 of the printed bill, which is line 5, page 4 of the original bill: “(4); and”;

Be further amended in section 13 by striking out in line 11 on page 7 of the original bill, being line 2 on page 8 of the printed bill, the period (.) at the end of said line after the word “repealed” and inserting in lieu thereof the words and punctuation: “, provided, that nothing in this act contained shall impair any obligation contained in any bond, debenture or contract issued or executed prior to the effective date of this act.”; and as amended, that Substitute House Bill No. 400 do pass.

HIBBARD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that the House reconsider its previous action this day in failing to pass Substitute House Bill No. 173 on Third Reading. Kvaalen requested a call of the House. There being sufficient seconds, Speaker Pro Tem ordered a roll call and call of the House. Progress having been reported, Kvaalen moved the call of the House be dispensed with. Motion carried. Haughey moved the previous question and motion carried. Motion by Broeder failed to carry.

Motion was made by Wayrynen that the House request the Senate to return to the House, House Bill No. 406. Schye requested a roll call vote, the results thereof to be recorded in the Journal. There being a sufficient number of seconds, roll call vote was recorded as follows:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Bardanouve, Blewett, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Etchart, Goan, Harper, Healy, Judge, Keller, Kvaalen, Leuthold, Lewis, Loman, Lord, McOmber, Melcher, Mernin, Moudree, Raundal, Regan, Schwinden, Shelden, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 41.

Noes: Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Falkenstern,

Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Kolar, Laas, Lombardi, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Swanz, Thompson, Weeks, Wright. Total 50.

Absent or not voting: Page. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

Motion by Wayrynen failed to carry.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 446, 448, 345, 397, 263, 395, 207 and Sub. for Substitute House Bill No. 429.

REED, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hibbard of Lewis and Clark in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 281 be amended in the title by striking out in line 4 of the printed bill, which is line 6, page 1 of the original bill, the period and double quotes and inserting in lieu thereof a semicolon and the following words: "providing for an effective date, a termination date, and containing a repealing clause."

Be further amended in section 7, page 4 of the printed bill, which is line 10, page 4 of the original bill, by striking out the words and parenthesis: (matter deleted) and inserting in line 6 of the printed bill, which is line 11 of the original, in said section after the word "such" and before the word "individual" the words and parenthesis as follows: (matter deleted); and as amended, that House Bill No. 281 do pass.

That Substitute House Bill No. 312 do pass.

That House Bill No. 125 do pass.

That House Bill No. 258 be amended in section 1 in line 11, page 2 of the original bill and in line 26 of the printed bill, by inserting before the word "said" the following words: "Except as to passenger motor vehicles of which a description is filed in accordance with the provisions of Section 84-406 of the Revised Codes of Montana, 1947," and as amended, that House Bill No. 258 do pass.

That consideration of House Bill No. 225 be indefinitely postponed.

HIBBARD, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measures at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 446 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright. Total 79.

Noes: Bardanouve, Coulter, Eskildsen, Goan, Kolar, Melcher, Mernin, Moudree, Raundal, Stearns, Stimatz, Twedt. Total 12.

Absent or not voting: Conklin. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

House Bill No. 448 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 88.

Noes: Harper, Mernin, Stimatz. Total 3.

Absent or not voting: Conklin. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

House Bill No. 345 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Bentz, Blewett, Bradford, Broeder, Burrell, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Hall, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nichols, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Wright. Total 64.

Noes: Bardanouve, Beam, Brenner, Bush, Emmons, Eskildsen, Haines, Hanks, Harper, Haughey, Jensen (Lake), Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Nelstead, Page, Picard, Raundal, Schwinden, Shelden, Stimatz, Teigen, Twedt, Weeks. Total 27.

Absent or not voting: Conklin. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

House Bill No. 397 was passed by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Blewett, Burrell, Bush, Cerovski, Coulter, Crum, Etchart, Falkenstern, Goan, Haines, Hall, Hanks,

Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lundgren, Mathers, McOmber, Melcher, Nelstead, Nichols, Page, Pierce, Regan, Rosell, Rygg, Smith, Spahr, Spilde, Stearns, Stranahan, Swanz, Thompson, Twedt, Weeks, Wright. Total 57.

Noes: Abel, Bardanouve, Bentz, Bradford, Brenner, Broeder, Dykstra, Edwards, Emmons, Eskildsen, Harper, Hibbard, Jensen (Lake), Judge, Lewis, Lombardi, Lucas, Mernin, Moudree, Murray, Picard, Raundal, Reed, Reinecke, Schwinden, Seymour, Shelden, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Wayrynen. Total 32.

Absent or not voting: Conklin, Daniels, Schye. Total 3.

Excused: Gustafson, Mr. Speaker. Total 2.

House Bill No. 263 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Coulter, Crum, Daniels, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks. Total 78.

Noes: Burrell, Dykstra, Edwards, Goan, Haughey, Hibbard, Judge, Kolar, Nichols, Reinecke, Smith, Sullivan (Silver Bow), Wright. Total 13.

Absent or not voting: Conklin. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

House Bill No. 395 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright. Total 62.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Jensen (Mineral), Lewis, Lombardi, Lord, McOmber, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Teigen, Twedt. Total 29.

Absent or not voting: Wayrynen. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

House Bill No. 207 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hillings, Jenkins, Jensen (Mineral), Jensen

(Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 91.

Noes: None.

Absent or not voting: Lombardi. Total 1.

Excused: Gustafson, Mr. Speaker. Total 2.

Substitute for Substitute House Bill No. 429 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hillings, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Gustafson, Mr. Speaker. Total 2.

Motion was made by Anderson (Yellowstone) that the House recess until 6:15 p.m. this day. Motion carried. House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE SENATE

February 15, 1961

Mr. Speaker:

I am directed by the Senate to request the House return to the Senate, House Bill No. 89.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 215, 125, Substitute House Bills Nos. 312, 400, 359.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return House Bill No. 89. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 215 was passed by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan, Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 75.

Noes: Adams, Crum, Edwards, Goan, Gustafson, Kvaalen, Lord, Rosell, Stearns, Wright. Total 10.

Absent or not voting: Aasheim, Haughey, Loman, Lombardi, Lucas, Moudree, Smith, Stimatz. Total 8.

Excused: Harper. Total 1.

Substitute House Bill No. 359 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hillings, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lundgren, Mathers, McOmber, Melcher, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Broeder, Cerovski, Conklin, Healy, Judge, Laas, Lewis, Lombardi, Mernin, Murray, Picard, Spahr, Stimatz, Sullivan (Silver Bow). Total 14.

Absent or not voting: Aasheim, Lucas, Moudree, Smith. Total 4.

Excused: Harper. Total 1.

Substitute House Bill No. 312 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Spilde, Stearns, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 61.

Noes: Abel, Barnard, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Mernin, Moudree, Picard, Raundal, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 29.

Absent or not voting: Aasheim, Blewett, Smith. Total 3.

Excused: Harper. Total 1.

House Bill No. 125 was passed by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Adams, Gustafson, Lombardi, Lord, Nichols, Seymour. Total 6.

Absent or not voting: Aasheim, Smith. Total 2.

Excused: Harper. Total 1.

Substitute House Bill No. 400 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Pierce, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 65.

Noes: Abel, Bradford, Cerovski, Conklin, Coulter, Emmons, Gustafson, Healy, Jensen (Mineral), Lewis, Lombardi, Lucas, McOmber, Mernin, Moudree, Page, Picard, Raundal, Reed, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt. Total 25.

Absent or not voting: Aasheim, Goan, Sullivan (Silver Bow). Total 3.

Excused: Harper. Total 1.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 258, 281.

REED, Chairman.

House Bill No. 281 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow),

Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Conklin. Total 1.

Absent or not voting: Aasheim, Abel. Total 2.

Excused: Harper. Total 1.

House Bill No. 258 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cеровski, Conklin, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 80.

Noes: Bashor, Coulter, Eskildsen, Gustafson, Jenkins, Jensen (Mineral), Lombardi, McOmber, Mernin, Picard, Stimatz, Stranahan. Total 12.

Absent or not voting: Aasheim. Total 1.

Excused: Harper. Total 1.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a.m., Thursday, February 16, 1961. Motion carried.

House adjourned.

TOM HAINES, Speaker Pro Tem.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 16, 1961

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Regan, excused due to illness and Wayrynen, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-fifth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 189, 115, 438, 439, 268, and Substitute House Bill No. 205 and Substitute House Joint Memorial No. 9.

REED, Chairman.

I have examined House Bill No. 268 introduced by me and find the same to be correct.

BARNARD.

I have examined Substitute House Joint Memorial No. 9 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 438 introduced by me and find the same to be correct.

NICHOLS.

I have examined Substitute House Bill No. 205 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 439 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 115 introduced by me and find the same to be correct.

JOHNSON.

I have examined House Bill No. 189 introduced by me and find the same to be correct.

GUSTAFSON.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 189, 115, 438, 439, 268, and Substitute House Bill No. 205 and Substitute House Joint Memorial No. 9.

MESSAGES FROM THE SENATE

February 15, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Agriculture, report adopted, and the same is herewith returned to the House:

House Bill No. 169 introduced by Eskildsen and Aasheim.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 15, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill No. 165 was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 165 introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 15, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 204 introduced by Hilling, Beam, Pierce, Goan, Rosell, Crum, Haughey and Anderson (Yellowstone).

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 15, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Taxation, report adopted, and the same is herewith returned to the House:

House Bill No. 214 introduced by Anderson (Yellowstone), Goan and Daniels.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Loman of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 114 be concurred in.

That Senate Amendments to House Bill No. 162 be concurred in.

That Senate Amendments to House Bill No. 110 be concurred in.

That Senate Amendments to House Bill No. 219 be concurred in.

The Senate Amendments to House Bill No. 180 be not concurred in but that a conference committee be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 7 be concurred in.

That Senate Amendments to House Bill No. 316 be concurred in.

That Senate Amendments to House Bill No. 146 be concurred in.

That Senate Amendments to Substitute House Bill No. 175 be concurred in.

That Senate Amendments to House Bill No. 292 be concurred in.

That Senate Amendments to House Bill No. 211 be concurred in.

That Senate Amendments to Substitute House Bill No. 216 be concurred in.

That Senate Amendments to House Bill No. 5 be concurred in.

That Senate Amendments to House Bill No. 34 be concurred in.

LOMAN, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Substitute Senate Bill No. 72, respectfully report as follows: That Substitute Senate Bill No. 72 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Substitute for Senate Bill No. 41, respectfully report as follows: That Senate Substitute for Senate Bill No. 41 be concurred in.

KELLER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be amended as follows:

Amend in line 31, page 4 of the original bill by underlining the words "and approval";

And as amended, be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 8, respectfully report as follows: That Senate Bill No. 8 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Townships

and Counties, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be not concurred in.

ASBJORNSON,
ANDERSON (Madison),
SMITH,
FALKENSTERN,
KOLAR,
WEEKS,
KVAALLEN,
ADAMS.

Motion was made by Kolar for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Townships and Counties, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be concurred in.

TWEDT,
MOUDREE,
TEIGEN,
BRENNER,
AASHEIM.

Substitute motion was made by Twedt for adoption of the Minority report. After debate Haines moved the previous question. Motion carried. Substitute motion of Twedt failed to carry. Majority report adopted.

MESSAGES FROM THE SENATE

February 16, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same is herewith returned to the House:

House Bill No. 294 introduced by Dykstra and Murray.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 180. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 180: Haughey, Hazelbaker, Bush.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Judiciary Committee:

Senate Substitute for House Bill No. 165, introduced by Judiciary Committee: A bill for an act entitled: "An act to provide that an indictment, information, complaint or accusation may charge two or more offenses under separate counts; providing for the consolidation of two or more indictments, informations, complaints, or accusations; providing that election by prosecution is not required; providing that conviction

may be had on any number of offenses charged providing for a statement in verdict, and that the court may order trial of different offenses charged separately or in groups; providing for effect of acquittal on part of counts; amending section 94-6703, Revised Codes of Montana, 1947, relating to demurrers in criminal cases, by deleting sub-section (3) thereof; and repealing section 94-6407, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."

THIRD READING OF HOUSE BILLS

The following Senate Amendments, having first been read, were disposed of as follows:

Senate Amendments to House Bill No. 114 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 83.

Noes: Bentz, Conklin, Daniels, Spahr. Total 4.

Absent or not voting: Goan, Kvaalen, Moudree, Sullivan (Silver Bow), Weeks. Total 5.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 162 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Barnard, Goan, Kvaalen, Nichols, Weeks. Total 5.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 110 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam,

Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Kvaalen, Weeks. Total 2.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 219 were concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 85.

Noes: Bentz, Keller. Total 2.

Absent or not voting: Aasheim, Bardanouve, Nelstead, Smith, Weeks. Total 5.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 7 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Weeks. Total 1.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 316 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright. Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Weeks. Total 1.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 146 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Kvaalen, Weeks. Total 2.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to Substitute House Bill No. 175 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Bentz, Weeks. Total 2.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 292 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 89.

Noes: Haughey, Kolar. Total 2.

Absent or not voting: Weeks. Total 1.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 211 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 82.

Noes: Bentz, Broeder, Conklin, Dykstra, Gustafson, Haughey, Kvaalen, Murray. Total 8.

Absent or not voting: Bardanouve, Weeks. Total 2.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to Substitute House Bill No. 216 were concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 85.

Noes: Conklin, Daniels, Haughey, Keller. Total 4.

Absent or not voting: Aasheim, Kolar, Weeks. Total 3.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 5 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 87.

Noes: Goan, Gustafson, Harper. Total 3.

Absent or not voting: Picard, Weeks. Total 2.

Excused: Regan, Wayrynen. Total 2.

Senate Amendments to House Bill No. 34 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 79.

Noes: Blewett, Burrell, Falkenstern, Gustafson, Haughey, Kvaalen, Lundgren, McOmber, Melcher, Murray, Rygg, Seymour. Total 12.

Absent or not voting: Weeks. Total 1.

Excused: Regan, Wayrynen. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Loman of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 186 be concurred in.

That Senate Bill No. 151 be concurred in.

That consideration of Senate Bill No. 69 be passed for the day.

That consideration of Senate Bill No. 68 be passed for the day.

That Senate Joint Resolution No. 4 be concurred in.

That Senate Bill No. 138 be concurred in.

That Senate Bill No. 164 be concurred in.

That Senate Bill No. 198 be concurred in.

That consideration of Senate Bill No. 98 be passed for the day.

LOMAN, Chairman.

Report adopted.

February 14, 1961

Mr. Speaker:

We, your Committee on Bills, to whom was referred House Bills Nos. 111, 156, 188, 272 and 304, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:00 p.m., delivered to the Governor for his approval.

REED, Chairman.

February 16, 1961

Mr. Speaker:

We, your Committee on Bills, to whom was referred House Bills Nos. 115, 189, Sub. 205, 268, 438, 439 and Sub. House Joint Memorial 9, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day at the hour of 10:45 a.m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a.m., Friday, February 17, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-SEVENTH LEGISLATIVE DAYHouse of Representatives
Helena, Montana

February 17, 1961

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Nelstead, excused due to illness, and Schye, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-sixth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 52, respectfully report as follows: That Senate Bill No. 52 be not concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration Substitute Senate Bill No. 34, respectfully report as follows: That Substitute Senate Bill No. 34 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be not concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be not concurred in.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Substitute for Senate Bill No. 84, respectfully report as follows: That Senate Substitute for Senate Bill No. 84 be amended as follows:

Amend the title in line 8 of the original bill, it being line 8 of the printed bill, by striking the words "a majority" and inserting in lieu thereof the words and figures: "thirty per centum (30%)";

And further amend in line 22, page 1 of the original bill, it being line 6, page 1 of the printed bill, by striking the words: "a majority" and inserting in lieu thereof the words and figures: "thirty per centum (30%)";

And as amended, be concurred in.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 50, respectfully report as follows: That Senate Bill No. 50 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 49, respectfully report as follows: That Senate Bill No. 49 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 158, respectfully report as follows: That Senate Bill No. 158 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 154, respectfully report as follows: That Senate Bill No. 154 be not concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 67, respectfully report as follows: That Senate Bill No. 67 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be concurred in.

HAINES, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 16, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 152—Introduced by Weeks, Keller, et al.

House Bill No. 112—Introduced by Reinecke, Reed, Leuthold and Spahr.

House Bill No. 12—Introduced by Kvaalen.

House Bill No. 155—Introduced by Hilling, Haughey, et al.

House Bill No. 119—Introduced by Hanks and Broeder.

Substitute House Bill No. 42—Introduced by Committee on Townships and Counties.

House Bill No. 108—Introduced by Edwards and Kvaalen.

House Bill No. 51—Introduced by Higham.

Sincerely,

DONALD G. NUTTER,
Governor.

February 16, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 170, introduced by Spahr.

House Bill No. 193, introduced by Picard.

House Bill No. 253, introduced by Bradford, Anderson (Yellowstone), Blewett and Stimatz.

House Bill No. 271, introduced by Dykstra, by request.

House Bill No. 319, introduced by Blewett, Anderson (Yellowstone), and Conklin.

House Bill No. 130, introduced by Hall, Falkenstern and Stearns.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 16, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 94, introduced by Weeks, Lucas, Stimatz, Haines, Emmons and Daniels.

Substitute House Bill No. 79, introduced by Fish and Game Committee.

House Bill No. 208, introduced by Haines.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 16, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 187, introduced by Pierce, Emmons, Seymour, Wayrynen and Lewis.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Mr. Speaker: I move that House Rule 54 be amended by striking Rule 54 in its present form in its entirety and inserting in lieu thereof the following:

Rule 54

Lobbying Privileges and Who May Be Admitted to the Floor.

Persons of the following classes may be admitted to the floor of the House during the sessions thereof, viz.: All state and legislative officers, members of the late state constitutional convention, members of the Senate, ex-members of the legislative assembly, members of congress, judges of the courts, all editors of newspapers within the state, reporters and correspondents of the press having credentials as such, members of the immediate family of House members, and guests of House members who present to the doorkeepers a guest card signed by a House member. All others shall be excluded from the floor of the House during the sessions thereof and during the period of one-half hour prior to the commencement of any session of the House.

No one shall be permitted to lobby on the floor of the House while the House is in session or within one-half hour prior to the commencement of any session of the House.

ANDERSON (Yellowstone).

The Speaker referred the motion by Anderson to the Committee on Rules and Journal.

The following resolution was read:

House Resolution No. 1

Introduced by Haines, McOmber

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES REQUEST-

ING THE BOARD OF STATE PRISON COMMISSIONERS TO TRANSPORT TO THE STATE PRISON AND CAUSE TO BE REPAIRED DURING THE 1961-1962 INTERIM THE FURNITURE USED BY THE HOUSE OF REPRESENTATIVES.

WHEREAS, much of the furniture in the House of Representatives has fallen into disrepair and is badly in need of refinishing and repair, and

WHEREAS, the state prison maintains a furniture refinishing industry which promotes the rehabilitation of inmates by preventing idleness. NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Board of State Prison Commissioners is requested to transport to the state prison and cause to be repaired and refinished during the 1961-1962 interim all of the furniture in the House chamber.

BE IT FURTHER RESOLVED that the House of Representatives requests the Board of State Prison Commissioners, if time permits, to transport to the state prison and cause to be repaired and refinished during the 1961-1962 interim all of the furniture in the House lobby, offices and committee rooms.

BE IT FURTHER RESOLVED that the chief clerk is instructed to send a copy of this resolution to the Board of State Prison Commissioners.

Motion was made by Haines that the resolution be adopted. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 80.

Noes: Conklin, Eskildsen, Harper, Lombardi, Mernin, Moudree, Shelden, Stimatz. Total 8.

Absent or not voting: Adams, Jensen (Mineral), Loman, Picard. Total 4.

Excused: Nelstead, Schye. Total 2.

Senate Bill No. 151 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz,

Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 80.

Noes: Beam, Broeder, Goan, Gustafson, Haughey, Kolar, Lundgren, Murray, Rosell, Mr. Speaker. Total 10.

Absent or not voting: Bradford, Jensen (Mineral). Total 2.

Excused: Nelstead, Schye. Total 2.

Senate Joint Resolution No. 4 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Hibbard. Total 1.

Absent or not voting: Keller, Pierce. Total 2.

Excused: Nelstead, Schye. Total 2.

Senate Bill No. 164 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Nelstead, Schye. Total 2.

Senate Bill No. 138 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Sheldon, Smith,

Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Nelstead, Schye. Total 2.

Senate Bill No. 198 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Page, Picard, Reed, Regan, Reinecke, Rygg, Schwinden, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 80.

Noes: Beam, Burrell, Crum, Edwards, Goan, Gustafson, Hilling, Nichols, Pierce, Rosell, Seymour. Total 11.

Absent or not voting: Raundal. Total 1.

Excused: Nelstead, Schye. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Crum of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 68 be amended in Section 1 in line 2 of page 1 of the printed bill, which is line 17 of the original bill, following the word "be" by striking the word "made" and inserting in lieu thereof the word "filed";

Be further amended in Section 1 by striking out beginning on line 12, page 2 of the printed bill, which is line 28, page 1 of the original bill, following the word "days", the following words: " ; provided, that the person applying for such order, or dispensation, shall have been a resident of the state for at least thirty (30) days prior to the making of such application." and inserting in lieu thereof a period following the word "days" in line 12 of the printed bill, line 28 of the original; and as amended, be concurred in.

That consideration of Senate Bill No. 69 be passed for the day.

That Senate Bill No. 98 be concurred in.

That Senate Bill No. 22 be concurred in.

That Substitute Senate Bill No. 72 be concurred in.

CRUM, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Haines that Senate Bill No. 7 be taken from the Committee on Education and referred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Anderson (Yellowstone) that the House recess until 12:45 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration the following motion by Anderson of Yellowstone, to-wit:

A motion that House Rule 54 be amended by striking Rule 54 in its present form in its entirety and inserting in lieu thereof the following:

Rule 54

Lobbying Privileges and Who May be Admitted to the Floor.

Persons of the following classes may be admitted to the floor of the House during the sessions thereof, viz.; All State and Legislative Officers, Members of the late State Constitutional Convention, Members of the Senate, Ex-members of the Legislative Assembly, Members of Congress, Judges of the Courts, all Editors of Newspapers within the State, Reporters and Correspondents of the press having credentials as such, Members of the immediate family of House Members, and Guests of House Members who present to the doorkeepers a guest card signed by a House Member. All others shall be excluded from the floor of the House during the sessions thereof and during the period of one-half hour prior to the commencement of any session of the House.

No one shall be permitted to lobby on the floor of the House while the House is in session or within one-half hour prior to the commencement of any session of the House.

Respectfully report as follows, to-wit: That the motion be adopted.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

With reference to House Rule No. 54, Aasheim moved that the Committee on Rules and Journal give consideration to the practice of lobbyists sending messages into the House chambers. The Speaker referred the Motion to the Committee on Rules and Journal.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 140, respectfully report as follows: That Senate Bill No. 140 be amended as follows:

In Section 1, line 9 of page 3 of the original bill, being Section 1, line 40 of page 3 of the printed bill by deleting the word, "person" and inserting in lieu thereof the word, "corporation";

And be further amended in Section 1, line 26 of page 3 of the original bill, being Section 1, line 55 of page 3 of the printed bill by deleting the word, "person" and inserting in lieu thereof the word, "corporation";

And as so amended, be concurred in.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 163, respectfully report as follows: That Senate Bill No. 163 be amended as follows:

In the title of the bill, line 5 of page 1 of the original bill, and line 2 of page 1 of the printed bill, following the figures "1947," by inserting the following words: "as amended in section 1, chapter 45, Laws of 1951; as amended in section 1, chapter 178, Laws of 1951; as amended in section 1, chapter 88, Laws of 1957,";

And be further amended, in the title of the bill, lines 6 through 8 of page 1 of the original bill and lines 4 through 6 of the printed bill by deleting the following punctuation and words: "to include property of rural telephone associations with property of rural electrical associations, and deleting property in class six (6),"

And be further amended, in Section 1, line 17 of page 1 of the original bill and line 2 of page 1 of the printed bill following the figures "1947," by inserting the following words: "as amended in Section 1, Chapter 45, Laws of 1951; as amended in Section 1, Chapter 178, Laws of 1951; as amended in Section 1, Chapter 88, Laws of 1957,"

And be further amended in Section 1, line 17 of page 2 of the original bill, being Section 1, line 30 of page 2 of the printed bill by deleting the word, "permanently"

And as amended, be concurred in.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 137, respectfully report as follows: That Senate Bill No. 137 be amended as follows:

In the title of the bill, line 15 of page 1 of the original bill, being line 15 of the printed bill by deleting the words, "and providing for an effective date";

And be further amended, in Section 2, line 14 of page 4 of the original bill, being Section 2, line 71 of page 4 of the printed bill following the word and punctuation "longer." by adding the words, "Provided, however, nothing in this act shall be construed so as to apply to industrial properties which are in existence at the time of the passage and approval of this act"

And be further amended, in Section 6 of the original and printed bill by deleting this section in its entirety.

And as amended, be concurred in.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be amended as follows:

In Section 1, lines 24 and 25 of page 2 of the original bill, being lines 25 and 26 of Section 1 of page 2 of the printed bill by deleting the words, "upon certain other payments to nonresidents" and insert in lieu thereof the words, "on payment to nonresidents for leases, rentals or royalties derived from property located within the state of Montana"

And be further amended, in Section 1, line 30 of page 2 of the original bill and line 1 of page 3 of the original bill, being Section 1, line 31 of page 3 of the printed bill by deleting the words, "arising out of or in connection with Montana transactions" and inserting in lieu thereof the words, "for

leases, rentals or royalties derived from property located within the state of Montana?"

And as amended, be concurred in.

PAGE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 17, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the president this day appointed the following Conference Committee to confer with a like Committee from the House on Senate Amendments to House Bill No. 180:

Nees, Chairman
McKenna (Fergus)
Grieve

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following House Bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 450, introduced by Adams, Nichols: An act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the State Department of Public Welfare which they may lawfully incur, for the period beginning with July 1, 1961, and terminating with June 30, 1963.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Crum of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 56 be concurred in.

That Substitute Senate Bill No. 41 be concurred in.

That Senate Bill No. 32 be concurred in.

That Senate Bill No. 33 be amended in Section 1, in line 6 of the printed bill, which is line 14 of the original, by inserting after the word "within" the words "(matter deleted)";

And as amended, be concurred in.

That consideration of Senate Bill No. 8 be passed for the day.

That Senate Bill No. 50 be concurred in.

That Senate Bill No. 51 be concurred in.

That Senate Bill No. 49 be concurred in.

That Senate Bill No. 158 be concurred in.

That consideration of Senate Bill No. 83 be passed for the day.

CRUM, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Saturday, February 18, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 18, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barnard, Beam, Haines, Jenkins, Lewis, Melcher, Regan, Jensen (Mineral), excused for personal business, and Nelstead, excused, due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-seventh Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be concurred in.

BENTZ, Chairman.

Motion was made by Bentz for adoption of the committee report.

Substitute motion was made by Blewett that Senate Bill No. 43 be rereferred to the Committee on Labor and Compensation for further consideration. Substitute motion carried.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be amended as follows:

Amend the title of the bill, line 7, page 1 of the original bill, it being line 7, page 1 of the printed bill, by striking after the word "election" the words "shall be automatically" and inserting in lieu thereof the words "may be"

Further amend by striking lines 8 through 12, page 2 of the original bill, it being lines 26 through 30, page 2 of the printed bill and inserting in lieu thereof the following: "Provided, however, that if none of said bonds have been sold and issued within three years from the date of the bonding election, and no vested rights have accrued thereunder, the board of county commissioners may rescind the authority to sell and issue such bonds by the passage and adoption of a resolution wherein is recited the reason for such rescission of authority."

And as amended, be concurred in.

KOLAR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under

consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 79, respectfully report as follows: That Senate Bill No. 79 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Substitute House Bill No. 175 and House Bills Nos. 204 and 5.

REED, Chairman.

I have examined House Bill No. 204 introduced by me and find the same to be correct.

HILLING.

I have examined House Bill No. 5 introduced by me and find the same to be correct.

BROEDER.

I have examined Substitute House Bill No. 175 introduced by me and find the same to be correct.

HIGHAM.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 5 and 204, and Substitute House Bill No. 175.

MESSAGES FROM THE SENATE

February 17, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

Substitute House Bill No. 282 introduced by Livestock and Ranges Committee

House Bill No. 264, introduced by Wayrynen, Pierce, Seymour, Emons, Bush, Picard, Mathers, Reinecke and Daniels.

Substitute House Bill No. 257 introduced by Labor and Compensation Committee.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 17, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 11 introduced by Kvaalen.

House Bill No. 185 introduced by Jensen (Lake), Leuthold, Johnson, Nichols and McOmber.

House Bill No. 235 introduced by Hazelbaker.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 17, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 92 introduced by Schwinden.

House Bill No. 49 introduced by Reinecke, Bentz and McOmber.

House Bill No. 322 introduced by Baldwin.

House Bill No. 232 introduced by Lucas, Picard, Sullivan (Deer Lodge), Harper, Judge and Hazelbaker.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Haughey that Senate Bill No. 69 be taken from General Orders and rereferred to the Judiciary Committee. Motion carried.

Motion was made by Blewett that the House request the Senate to return to the House for further consideration Senate Bill No. 119. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bashor, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 72.

Noes: Asbjornson, Bardanoue, Bradford, Conklin, Edwards, Harper, Kvaalen. Total 7.

Absent or not voting: Daniels, Emmons, Reinecke, Schye. Total 4.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan, Sullivan (Silver Bow). Total 11.

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Daniels, Schye. Total 2.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 32 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Substitute Senate Bill No. 41 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Johnson, Judge, Keller, Kolar, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Jensen (Lake), Kvaalen. Total 2.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Eskildsen. Total 1.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 49 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 158 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Substitute Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Gustafson. Total 1.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Baldwin, Bardanouve, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Goan, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Lombardi, Lord, Lucas, Lundgren, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 67.

Noes: Adams, Anderson (Madison), Asbjornson, Edwards, Etchart, Falkenstern, Gustafson, Kolar, Kvaalen, Leuthold, Mathers, Raundal, Smith, Spilde, Stranahan. Total 15.

Absent or not voting: Loman, Schye. Total 2.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Ashjornson, Baldwin, Bardanouve, Bashor, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 80.

Noes: Bradford, Conklin, Spahr. Total 3.

Absent or not voting: Schye. Total 1.

Excused: Barnard, Beam, Haines, Jenkins, Jensen (Mineral), Lewis, Melcher, Nelstead, Nichols, Regan. Total 10.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Page of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 8 be passed for the day.

That consideration of Senate Bill No. 67 be passed for the day.

That Senate Bill No. 83 be concurred in.

That consideration of Senate Substitute for Senate Bill No. 26 be passed for the day.

That Senate Bill No. 58 be concurred in.

That Substitute Senate Bill No. 34 be concurred in.

That consideration of Senate Bill No. 137 be passed for the day.

That Senate Bill No. 163 be amended in the Title by striking out in line 7 of the printed bill, which is line 9 of the original bill, after the word "trailers" the word "permanently";

And as amended, be concurred in.

That Senate Bill No. 140 be concurred in.

That Senate Bill No. 193 be concurred in.

That consideration of Senate Substitute for Senate Bill No. 84 be passed for the day.

PAGE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 18, 1961

Mr. Speaker:

In compliance with your request, we are herewith returning to the House for further consideration Senate Bill No. 119.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Blewett, having voted on the prevailing side, that the House reconsider its previous action in adoption of an adverse committee report on Senate Bill No. 119. Motion carried.

Blewett moved that Senate Bill No. 119 be rereferred to the Judiciary Committee for further consideration. Motion carried.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Monday, February 20, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 20, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Jenkins and Rygg, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-eighth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 2, respectfully report as follows: That Senate Bill No. 2 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having

had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 4, respectfully report as follows: That Senate Bill No. 4 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 5, respectfully report as follows: That Senate Bill No. 5 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 88, respectfully report as follows: That Senate Bill No. 88 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 157, respectfully report as follows: That Senate Bill No. 157 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 131, respectfully report as follows: That Senate Bill No. 131 be not concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Substitute Senate Bill No. 37, respectfully report as follows: That Substitute Senate Bill No. 37 be amended as follows:

Be amended in the title of the original bill in line 9, by striking out the word "unless" and inserting in lieu thereof the words "only when";

Be further amended in the title of the original bill in line 9, by striking out the word "objection" and inserting in lieu thereof, the word "approval";

Be further amended by striking out Section 2 and inserting in lieu thereof; "Section 2. Appointment of Members. Pupils over ten (10) years of age may be appointed or designated as a member of a school safety

patrol only when the school authorities have written consent from the parents or guardians.”;

And as amended, be concurred in.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 178, respectfully report as follows: That Senate Bill No. 178 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 162 and Substitute House Bill No. 216.

REED, Chairman.

I have examined House Bill No. 162 introduced by me and find the same to be correct.

SCHYE

I have examined Substitute House Bill No. 216 introduced by me and find the same to be correct.

LOMAN

The Speaker signed the following bills in open session, the titles having first been read: House Bill No. 162 and Substitute House Bill No. 216.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 7, 114, 211, 292, 316 and Substitute House Bill No. 79.

REED, Chairman.

I have examined House Bill No. 7 introduced by me and find the same to be correct.

NICHOLS

I have examined Substitute House Bill No. 79 introduced by me and find the same to be correct.

PIERCE

I have examined House Bill No. 114 introduced by me and find the same to be correct.

HILLING

I have examined House Bill No. 211 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Bill No. 292 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 316 introduced by me and find the same to be correct.

PAGE

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 7, 114, 211, 292, 316 and Substitute House Bill No. 79.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 34, 94, 110, 146, 208 and 219.

REED, Chairman.

I have examined House Bill No. 208 introduced by me and find the same to be correct.

HAINES

I have examined House Bill No. 146 introduced by me and find the same to be correct.

DYKSTRA

I have examined House Bill No. 110 introduced by me and find the same to be correct.

STRANAHAN

I have examined House Bill No. 94 introduced by me and find the same to be correct.

WEEKS

I have examined House Bill No. 34 introduced by me and find the same to be correct.

LUCAS

I have examined House Bill No. 219 introduced by me and find the same to be correct.

STIMATZ

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 34, 94, 110, 146, 208 and 219.

MESSAGES FROM THE GOVERNOR AND SENATE

February 17, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 272—Introduced by Blewett et al.

House Bill No. 304—Introduced by Jensen (Lake) et al.

House Bill No. 188—Introduced by Committee on Appropriations.

House Bill No. 111—Introduced by Higham and Melcher.

House Bill No. 156—Introduced by Hilling, Haughey et al.

Sincerely,

DONALD G. NUTTER
Governor

February 18, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 403 introduced by Kvaalen and Reed.

House Bill No. 404 introduced by Kvaalen and Reed.

Substitute House Bill No. 61 introduced by Committee on State Administration.

Substitute House Bill No. 82 introduced by Committee on State Administration.

House Bill No. 81 introduced by Wayrynen and Abel.

Substitute House Bill No. 295 introduced by Committee on Ways and Means.

House Bill No. 283 introduced by Lundgren.

House Bill No. 179 introduced by Kvaalen.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 18, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 28 introduced by Leuthold and Aasheim.

House Bill No. 444 introduced by Committee on Appropriations.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 18, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill failed to be concurred in on third reading this day and the same is herewith returned to the House:

House Bill No. 362 introduced by Pierce, Picard and Anderson (Yellowstone).

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 18, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Memorial were recommended for non-concurrence by the Committee on Fish and Game, report adopted, and the same are herewith returned to the House:

Substitute for Substitute House Bill No. 429 introduced by Committee on Fish and Game.

House Joint Memorial No. 11 introduced by Goan.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson

(Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Jenkins, Rygg. Total 2.

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: McOmber, Schye. Total 2.

Excused: Jenkins, Rygg. Total 2.

Substitute Senate Bill No. 34 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Jenkins, Rygg. Total 2.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Hazelbaker requested a Call of the House and sufficient seconds arose. Roll call followed and progress being reported, Anderson (Yellowstone) moved the Call of the House be dispensed with. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Brøeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Lombardi, Mernin, Stimatz. Total 3.

Absent or not voting: Daniels, Hilling, Mathers, McOmber. Total 4.

Excused: Jenkins, Rygg. Total 2.

Senate Bill No. 193 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Conklin, Jensen (Lake). Total 2.

Absent or not voting: Daniels, Loman, Mathers, McOmber. Total 4.

Excused: Jenkins, Rygg. Total 2.

Senate Bill No. 163 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Bardanouve, Conklin, Jensen (Lake), Mernin, Pierce, Schwinden. Total 6.

Absent or not voting: Daniels, Mathers, McOmber, Moudree. Total 4.
Excused: Jenkins, Rygg. Total 2.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To the President of the Senate and the Speaker of the House:

We, your Conference Committee appointed to consider Senate Amendments to House Bill No. 180, respectfully report and recommend as follows:

That the House accede to all Senate Amendments and that House Bill No. 180 be further amended as follows:

Amend the title in Line 8 of the title to the printed bill, being Line 10, page 1 of the original bill by inserting after the figures "1947" the following punctuation and words: " ; and providing an effective date.";

And further amend House Bill No. 180, by adding at the end of Section 5, thereof, a new Section to read as follows: "Section 6. This act shall be in full force and effect from and after its passage and approval;"

And as so amended, be concurred in.

For the Senate: NEES
GRIEVE
McKENNA

For the House: HAUGHEY
HAZELBAKER
BUSH

Motion was made by Haughey for adoption of the Conference Committee report. Motion carried and report adopted by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Conklin, Jensen (Lake). Total 2.

Absent or not voting: Adams, Barnard, Jensen (Mineral), Lewis, Mathers, McOmber, Picard, Raundal, Spahr, Stimatz, Twedt, Wayrynen. Total 12.

Excused: Jenkins, Rygg. Total 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having

had under consideration Senate Bill No. 99, respectfully report as follows: That Senate Bill No. 99 be amended as follows:

In Section 1 on page 2 in line 21 of the original bill, after the word "Capitol" by striking out the words "or of" and inserting in lieu thereof the word "and"

And as amended, be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 11, 185, 235.

REED, Chairman.

I have examined House Bill No. 11, introduced by me and find the same to be correct.

KVAALEN

I have examined House Bill No. 185, introduced by me and find the same to be correct.

JENSEN (Lake)

I have examined House Bill No. 235, introduced by me and find the same to be correct.

HAZELBAKER

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 11, 185 and 235.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that House Bill No. 373 be taken from the Committee on Appropriations and referred to the Committee on Education. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Haughey of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of Senate Bill No. 8 be indefinitely postponed.

That Senate Bill No. 67 be concurred in.

That Senate Substitute for Senate Bill No. 26 be concurred in.

That consideration of Senate Bill No. 137 be passed for the day.

That consideration of Substitute Senate Bill No. 84 be passed for the day.

That Senate Bill No. 54 be concurred in.

That Senate Bill No. 79 be concurred in.

That Senate Bill No. 132 be concurred in.

That Senate Bill No. 30 be concurred in.

That Senate Bill No. 2 be concurred in.

That Senate Bill No. 3 be concurred in.

That Senate Bill No. 4 be concurred in.

That Senate Bill No. 5 be concurred in.

That Senate Bill No. 6 be concurred in.

That Senate Bill No. 88 be concurred in.

That Senate Bill No. 23 be concurred in.

That Senate Bill No. 157 be concurred in.

HAUGHEY, Chairman.

Motion was made by Haughey for adoption of the Committee report.

Substitute motion was made by Kolar that Senate Bill No. 79 be segregated from the Committee report. Substitute motion carried.

Substitute motion was made by Conklin that Senate Bill No. 5 be segregated from the Committee report. Substitute motion failed to carry.

Committee report adopted, as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 47, respectfully report as follows: That Senate Bill No. 47 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be not concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 80, respectfully report as follows: That Senate Bill No. 80 be not concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Substitute for Senate Bill No. 130, respectfully report as follows: That Senate Substitute for Senate Bill No. 130 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be concurred in.

WRIGHT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that Senate Bill No. 78 be taken from the Committee on Agriculture and Irrigation and referred to the Judiciary Committee. Motion carried.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Tuesday, February 21, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 21, 1961

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present, except Murray, excused for personal business.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fiftieth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be not concurred in.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 185, respectfully report as follows: That Senate Bill No. 185 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be amended as follows:

In line 16 of page 1 of the original bill, being line 4 of page 1 of the printed bill, following the word "medical" by inserting the words "or spiritual"

And as so amended, be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Ways and Means, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be amended as follows:

In the title of the bill, line 14 of page 1 of the original bill, being line 14 of page 1 of the printed bill, by deleting the word and figure "four (4)" and inserting in lieu thereof the word and figure "two (2)";

And be further amended in Section 1, line 10 of page 2 of the original bill, being Section 1, line 17 of page 2 of the printed bill by deleting the word and figure "four (4)" and inserting in lieu thereof the word and figure "two (2)";

And as amended, be concurred in.

STEARNS,
CRUM,
SCHYE,
GUSTAFSON,
HILLING,
STRANAHAN,
MELCHER.

Motion was made by Gustafson for adoption of the Majority committee report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be concurred in.

BROEDER,
LOMAN,
HANKS,
HEALY,
PAGE.

Substitute motion was made by Page for adoption of the Minority report. Substitute motion failed to carry. Majority report adopted.

MESSAGES FROM THE SENATE

February 20, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 440 introduced by Nichols.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 20, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Joint Resolution No. 8 introduced by Haughey et al.

House Joint Resolution No. 1 introduced by Schwinden et al.

House Joint Resolution No. 5 introduced by McOmber.

House Bill No. 320 introduced by Edwards.

House Bill No. 207 introduced by Nichols and Bardanouve.

House Bill No. 206 introduced by Bardanouve et al.

House Bill No. 376 introduced by Anderson (Yellowstone).

House Bill No. 177 introduced by Beam.

House Bill No. 159 introduced by Seymour and Cerovski.

House Bill No. 358 introduced by Aasheim et al.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 20, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 93 introduced by Schwinden.

House Bill No. 384 introduced by Stimatz and Lucas.

Substitute House Bill No. 269 introduced by Townships and Counties Committee.

House Bill No. 315 introduced by Lucas et al.

Substitute House Bill No. 68 introduced by Highways Committee.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 20, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 116 introduced by Schye et al was this day read third time and not concurred in and the bill is herewith returned to the House.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 20, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was recommended for non-concurrence by report of the minority Committee on State Administration, report adopted and the same is herewith returned to the House:

House Bill No. 167 introduced by Murray, Hibbard, Nichols, Johnson, Sullivan (Silver Bow), Anderson (Yellowstone), Nelstead and Regan.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

February 21, 1961

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate, House Bill 116 and Substitute House Bill 269.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Conklin that Senate Bill No. 5 be taken from Third Reading and rereferred to the Committee on State Administration. After debate, Haines moved the previous question. Motion failed to carry. Motion by Conklin lost.

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return to the Senate, House Bill No. 116 and Substitute House Bill No. 269. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 451, introduced by Daniels, Cerovski: A bill for an act entitled: "An act to appropriate moneys to the department of public welfare for the purpose of establishing and administering a state matching program of medical assistance for the aged; providing authority to the state department of public welfare to promulgate and establish a plan for medical assistance for the aged and establishing standards for such plan; providing authority to the department of public welfare to receive federal funds for such plan; empowering the state board of health to establish and enforce standards of care and environment in public or private institutions participating herein; repealing conflicting acts; providing an effective date."

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Schwinden moved that Third Reading of Senate Bill No. 67 be passed for the day. Motion carried.

Substitute Senate Bill No. 26 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanoue, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Emmons, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson,

Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lord, Lundgren, Mathers, McOmber, Melcher, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 70.

Noes: Aasheim, Abel, Barnard, Bradford, Coulter, Edwards, Eskildsen, Etchart, Harper, Jenkins, Judge, Kvaalen, Lombardi, Mernin, Moudree, Nelstead, Raundal, Shelden, Stimatz, Stranahan, Wright. Total 21.

Absent or not voting: Haughey, Lucas. Total 2.

Excused: Murray. Total 1.

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Murray. Total 1.

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Dykstra, Emmons, Falkenstern, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lundgren, Mathers, McOmber, Moudree, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Mr. Speaker. Total 66.

Noes: Abel, Anderson (Yellowstone), Bashor, Blewett, Bradford, Conklin, Crum, Daniels, Edwards, Eskildsen, Etchart, Goan, Gustafson, Hall, Harper, Lombardi, Lucas, Melcher, Mernin, Nelstead, Schwinden, Schye, Spilde, Stranahan, Twedt, Wright. Total 26.

Absent or not voting: Raundal. Total 1.

Excused: Murray. Total 1.

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral),

Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Lombardi, Mernin, Picard, Rygg, Wayrynen. Total 5.

Absent or not voting: Shelden, Stimatz, Sullivan (Silver Bow). Total 3.

Excused: Murray. Total 1.

Senate Bill No. 2 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Daniels, Mernin. Total 2.

Absent or not voting: Shelden. Total 1.

Excused: Murray. Total 1.

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Shelden. Total 1.

Excused: Murray. Total 1.

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen

(Mineral) Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Murray. Total 1.

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Bardanouve, Cerovski, Conklin, Coulter, Daniels, Emmons, Harper, Jensen (Mineral), Laas, Lombardi, Mernin, Moudree, Raundal, Spahr, Stimatz, Sullivan (Deer Lodge). Total 16.

Absent or not voting: None.

Excused: Murray. Total 1.

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: Abel. Total 1.

Absent or not voting: None.

Excused: Murray. Total 1.

Senate Bill No. 88 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen

(Mineral) Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Murray. Total 1.

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Anderson (Yellowstone), Asbjornson, Bashor, Bush, Haines, Lucas, Page, Swanz. Total 8.

Absent or not voting: Daniels. Total 1.

Excused: Murray. Total 1.

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Emmons, Eskildsen, Etchart, Gustafson, Haines, Hanks, Harper, Healy, Higham, Jensen (Mineral), Jensen (Lake), Judge, Laas, Leuthold, Lewis, Loman, Lombardi, McOmber, Melcher, Mernin, Moudree, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Schwinden, Schye, Shelden, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen, Wright, Mr. Speaker. Total 57.

Noes: Anderson (Madison), Asbjornson, Baldwin, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Falkenstern, Goan, Hall, Haughey, Hazelbaker, Hibbard, Hilling, Jenkins, Johnson, Keller, Kolar, Kvaalen, Lord, Lucas, Lundgren, Mathers, Nelstead, Nichols, Rosell, Rygg, Seymour, Smith, Stranahan, Swanz, Thompson, Weeks. Total 35.

Absent or not voting: Daniels. Total 1.

Excused: Murray. Total 1.

Senate Bill No. 33 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Jensen (Mineral), John-

son, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinicke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Broeder, Daniels, Jenkins. Total 3.

Excused: Murray. Total 1.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 136, 164, 186, 198, 151 and Senate Joint Resolution No. 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Goan of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 137 be passed for the day.

That consideration of Senate Bill No. 84 be passed for the day.

That Senate Bill No. 79 be amended in the title by inserting in line 10 of the printed bill, which is line 13 of the original bill, after the word "cars", the words "pickups and farm trucks";

Be further amended in section 1, by inserting in line 51 of the printed bill, which is line 26, page 3 of the original bill, after the word "cars" the words "pickups and farm trucks"; and as amended, be concurred in.

That Senate Amendments to Substitute House Bill No. 282 be concurred in.

That Senate Amendments to House Bill No. 319 be concurred in.

That Senate Amendments to House Bill No. 264 be concurred in.

That Senate Amendments to House Bill No. 253 be concurred in.

That Senate Amendments to House Bill No. 193 be concurred in.

That Senate Amendments to House Bill No. 170 be concurred in.

That Senate Amendments to House Bill No. 130 be concurred in.

That Senate Amendments to House Bill No. 271 be concurred in.

That Senate Amendments to House Bill No. 28 be concurred in.

That Senate Amendments to House Bill No. 444 be concurred in.

That consideration of Senate Amendments to Substitute House Bill No. 257 be passed for the day.

GOAN, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 be amended as follows:

In lines 29 and 30 of page 1 of the original, by deleting the words and figures "the sum of one million one hundred ninety-three thousand thirty-five dollars.....\$1,193,035.00" and inserting in lieu thereof the words and figures "the sum of one million one hundred seventy-five thousand thirty-five dollars.....\$1,175,035.00";

And be further amended in lines 27 and 28 of page 2 of the original bill by deleting the words and figures "the sum of two hundred thirty-four thousand five hundred thirty-seven dollars.....\$234,537.00" and inserting in lieu thereof the words and figures "the sum of two hundred fifty-two thousand five hundred thirty-seven dollars.....\$252,537.00";

And as so amended, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be concurred in.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 171, respectfully report as follows: That Senate Bill No. 171 be concurred in.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 172, respectfully report as follows: That Senate Bill No. 172 be amended as follows:

By amending the title, line 14, page 1 of the printed bill, it being line 14, page 1 of the original bill, after the words "liquified petroleum" by inserting the word "gas";

By inserting in section 1, page 2, line 27 of the printed bill, being page 2, line 20 of the original bill, after the words: "all liquified petroleum", the word "gas";

And as amended, be concurred in.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Bill No. 174, respectfully report as follows: That Senate Bill No. 174 be concurred in.

LEUTHOLD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 81, 179, 283, 403, 404, and Substitute House Bills Nos. 61, 82 and 285.

REED, Chairman.

I have examined Substitute House Bill No. 82 introduced by me and find the same to be correct.

WRIGHT

I have examined Substitute House Bill No. 61 introduced by me and find the same to be correct.

WRIGHT

I have examined House Bill No. 81 introduced by me and find the same to be correct.

WAYRYNEN

I have examined House Bill No. 179 introduced by me and find the same to be correct.

KVAALEN

I have examined House Bill No. 283 introduced by me and find the same to be correct.

LUNDGREN

I have examined Substitute House Bill No. 295 introduced by me and find the same to be correct.

BLEWETT

I have examined House Bill No. 404 introduced by me and find the same to be correct.

REED

I have examined House Bill No. 403 introduced by me and find the same to be correct.

KVAALEN

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 81, 179, 283, 403, 404 and Substitute House Bills Nos. 61, 82 and 285.

MESSAGES FROM THE SENATE

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

the following House Bills were recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same are herewith returned to the House:

House Bill No. 355 introduced by Rygg et al.

House Bill No. 354 introduced by Rygg et al.

House Bill No. 352 introduced by Rygg et al

House Bill No. 351 introduced by Rygg et al.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

THIRD READING OF HOUSE BILLS

The following Senate Amendments to House Bills were read, and disposed of in the following manner:

Senate Amendments to House Bill No. 282 were concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 74.

Noes: Aasheim, Haughey, Hazelbaker, Jensen (Lake), Kolar, Kvaalen, Rygg, Wright. Total 8.

Absent or not voting: Bardanouve, Barnard, Daniels, Jenkins, Loman, Lombardi, Melcher, Moudree, Nelstead, Schye. Total 10.

Excused: Abel, Spahr. Total 2.

Senate Amendments to House Bill No. 264 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Smith, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 79.

Noes: Goan, Haughey, Jensen (Lake), Johnson, Kvaalen, Rygg, Shelden, Spilde, Stranahan. Total 9.

Absent or not voting: Bardanouve, Jenkins, Melcher, Nelstead. Total 4.

Excused: Abel, Spahr. Total 2.

Senate Amendments to House Bill No. 319 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Jensen (Lake), Keller, Rygg. Total 3.

Absent or not voting: Bardanouve, Jenkins, Melcher, Moudree, Nelstead. Total 5.

Excused: Abel, Spahr. Total 2.

Senate Amendments to House Bill No. 253 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Rygg. Total 1.

Absent or not voting: Bardanouve, Jenkins, Melcher, Nelstead. Total 4.

Excused: Abel, Spahr. Total 2.

Senate Amendments to House Bill No. 193 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Mathers, McOmber, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 81.

Noes: Edwards, Jensen (Lake), Rygg, Spilde, Stranahan, Weeks. Total 6.

Absent or not voting: Bardanouve, Jenkins, Lundgren, Melcher, Nelstead. Total 5.

Excused: Abel, Spahr. Total 2.

Senate Amendments to House Bill No. 170 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Rygg. Total 1.

Absent or not voting: Bardanouve, Daniels, Jenkins, Melcher, Nelstead. Total 5.

Excused: Abel, Nichols, Spahr. Total 3.

Senate Amendments to House Bill No. 130 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Harper, Hazelbaker, Healy, Hibbard, Higham, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, McOmber, Moudree, Murray, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 73.

Noes: Conklin, Goan, Gustafson, Hanks, Haughey, Hilling, Kvaalen, Lombardi, Mathers, Mernin, Raundal, Rygg, Shelden, Stranahan, Total 14.

Absent or not voting: Bardanouve, Jenkins, Melcher, Nelstead. Total 4.

Excused: Abel, Nichols, Spahr. Total 3.

Senate Amendments to House Bill No. 271 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Goan, Rygg. Total 2.

Absent or not voting: Bardanouve, Barnard, Daniels, Jenkins, Melcher, Nelstead. Total 6.

Excused: Abel, Nichols, Spahr. Total 3.

Senate Amendments to House Bill No. 28 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Sheldon, Smith, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Goan, Gustafson, Haughey, Keller, Laas, Rygg, Spilde, Stearns. Total 8.

Absent or not voting: Bardanouve, Daniels, Jenkins, Melcher, Nestead. Total 5.

Excused: Abel, Nichols, Spahr. Total 3.

Senate Amendments to House Bill No. 444 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Haughey, Healy, Hibbard, Higham, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Mernin, Moudree, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Sheldon, Smith, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 70.

Noes: Bradford, Burrell, Cerovski, Conklin, Goan, Gustafson, Harper, Hazelbaker, Hilling, Lord, Murray, Raundal, Rygg, Spilde, Stearns, Weeks. Total 16.

Absent or not voting: Bardanouve, Daniels, Jenkins, Melcher, Nestead. Total 5.

Excused: Abel, Nichols, Spahr. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Goan of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 47 be concurred in.

That consideration of Senate Bill No. 48 be passed for the day.

That Senate Bill No. 55 be concurred in.

That Senate Bill No. 81 be concurred in.

That Senate Bill No. 125 be concurred in.

That Senate Substitute for Senate Bill No. 130 be concurred in.

That Senate Bill No. 113 be concurred in.

That Senate Bill No. 178 be concurred in.

GOAN, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Wednesday, February 22, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 22, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, excused for personal business, and Nelstead, excused due to illness.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Memorial No. 1, respectfully report as follows: That Senate Joint Memorial No. 1 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be not concurred in.

HAINES, Chairman.

Motion was made by Haines for adoption of the committee report. Substitute motion was made by Schwinden that Senate Bill No. 7 be placed on General Orders. Substitute motion carried.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Memorial No. 2, respectfully report as follows: That Senate Joint Memorial No. 2 be concurred in.

HAINES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 133, respectfully report as follows: That Senate Bill No. 133 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

Amend the title by striking out in lines four and five of page one of the original bill, the words and figures: "one hundred thousand dollars (\$100,000)" and inserting in lieu thereof the words and figures: "eighty thousand dollars (\$80,000)";

Amend in section 1 by striking out in lines 11 and 12 of page 1 of the original bill the words and figures "one hundred thousand dollars (\$100,000)" and inserting in lieu thereof the words and figures "eighty thousand dollars (\$80,000)";

Amend further in section 1 by striking out in line 14 the period and inserting in lieu thereof the words "in carrying out the provisions of House Joint Resolution No. 1 and House Joint Resolution No. 8.";

And as so amended, do pass.

NICHOLS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 21, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 438—Introduced by Nichols.

House Bill No. 439—Introduced by Nichols.

House Bill No. 268—Introduced by Barnard and Schwinden.

House Bill No. 115—Introduced by Johnson, Thompson, Hanks, et al.

House Bill No. 189—Introduced by Gustafson and Higham.

Substitute House Bill No. 205—Introduced by Committee on Appropriations.

Substitute House Joint Memorial No. 9—Introduced by Committee on Constitution, Elections and Federal Relations.

Sincerely,

DONALD G. NUTTER,
Governor.

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote concurred in the Joint Conference Committee report on House Bill No. 180.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 236, introduced by Daniels.

House Bill No. 237, introduced by Daniels.

House Bill No. 238, introduced by Daniels.

House Bill No. 239, introduced by Daniels.

House Bill No. 241, introduced by Anderson (Yellowstone), et al.

House Bill No. 447, introduced by Schye, et al.

Substitute House Bill No. 297, introduced by Committee on Education.

House Bill No. 341, introduced by Hazelbaker and Haughey.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Joint Memorial No. 18, introduced by Nelstead, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Fish and Game recommended for non-concurrence House Substitute for Senate Bill No. 102 but that Senate Substitute for House Substitute for Senate Bill No. 102 do pass, report adopted, and House Substitute for Senate Bill No. 102 is returned to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Taxation, report adopted, and the same is herewith returned to the House:

House Bill No. 89, introduced by Dykstra, Haines and Daniels.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 21, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 78, introduced by Higham.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 452, introduced by Daniels: A bill for an act entitled: "An act to appropriate money to the director of the historical society of Montana for the period beginning July 1, 1961 and ending June 30, 1963 for the purpose of advertising and promoting the sale of the Charles M. Russell painting entitled 'Lewis and Clark Meeting the Flatheads at Ross-Hole' for a minimum of one million, five hundred thousand dollars (\$1,500,000.00) to the best interests of the State of Montana; providing for execution of a bill of sale and the proceeds to be placed in the general fund of the State of Montana."

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 67 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Keller, Kolar, Leuthold, Loman, Lord, Lundgren, Mathers, McOmber, Melcher, Nichols, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 63.

Noes: Asbjornson, Barnard, Broeder, Bush, Dykstra, Edwards, Haines, Harper, Healy, Judge, Kvaalen, Laas, Lewis, Lombardi, Lucas, Mernin, Moudree, Murray, Page, Picard, Raundal, Stimatz, Stranahan, Teigen, Twedt. Total 25.

Absent or not voting: Aasheim, Jensen (Lake), Schye, Shelden. Total 4.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 67, introduced by Hibbs, Cumming, Durkee: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the constitution of Montana to eliminate the constitutional status of justice of the peace courts by deleting certain specific references to such courts in the constitution by amending sections 8 and 23, article III and sections 1 and 34, article VIII and by repealing sections 20, 21, 22, 23 and 24, article VIII."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 8, article III of the constitution of the State of Montana is amended to read as follows:

"Section 8. Criminal offenses (matter deleted) shall, in all courts inferior to the district court, be prosecuted by complaint. All criminal actions in the district court, except those on appeal, shall be prosecuted by information, after examination and commitment by a magistrate, or after leave granted by the court, or shall be prosecuted by indictment without such examination or commitment, or without such leave of the court. A grand jury shall consist of seven persons, of whom five must concur to find an indictment.

A grand jury shall only be drawn and summoned when the district judge, shall, in his discretion, consider it necessary and shall so order."

Section 2. Section 23, article III of the constitution of the State of Montana, is amended to read as follows:

"Section 23. The right of trial by jury shall be secured to all, and remain inviolate, but in all civil cases and in all criminal cases not amounting to felony, upon default of appearance, or by consent of the parties expressed in such manner as the law may prescribe, a trial by jury may be waived, or a trial had by any less number of jurors than the number provided by law. (matter deleted) In all civil actions and in all criminal cases not amounting to felony, two-thirds in number of the jury may render a verdict, and such verdict so rendered shall have the same force and effect as if all such jury concurred therein."

Section 3. Section 1, article VIII of the constitution of the State of Montana is amended to read as follows:

"Section 1. The judicial power of the state shall be vested in the senate sitting as a court of impeachment, in a supreme court, districts courts, (matter deleted) and such other (matter deleted) courts as the legislative assembly may establish (matter deleted)."

Section 4. Section 34, article VIII of the constitution of the State of Montana is amended to read as follows:

"Section 34. Vacancies in the office of justice of the supreme court, or judge of the district court, or clerk of the supreme court, shall be filled by appointment, by the governor of the state, and vacancies in the offices of county attorney, and clerk of the district court, (matter deleted) shall be filled by appointment, by the board of county commissioners of the county where such vacancy occurs. A person appointed to fill any such vacancy shall hold his office until the next general election and until his successor is elected and qualified. A person elected to fill a vacancy shall hold office until the expiration of the term for which the person he succeeds was elected."

Section 5. Sections 20, 21, 22, 23, and 24, article VIII of the constitution of the State of Montana are repealed.

Section 6. When this amendment is submitted to the electors of the State of Montana as provided by law there shall be printed on the ballot the full title and the first five sections of this act and the following words:

☐ For the above amendment and repeal.

☐ Against the above amendment and repeal."

Senate Substitute for Senate Bill No. 130 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen,

Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Goan, Haughey, Hilling, Rosell, Rygg. Total 5.

Absent or not voting: Jensen (Lake). Total 1.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 81 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Emmons, Eskildsen, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 80.

Noes: Anderson (Madison), Bashor, Bentz, Dykstra, Edwards, Etchart, Gustafson, Hibbard, Stranahan, Wright. Total 10.

Absent or not voting: Jensen (Lake), Rygg. Total 2.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Aasheim, Edwards, Gustafson, Kolar, Rygg, Schwinden, Stranahan, Twedt. Total 8.

Absent or not voting: Jensen (Lake). Total 1.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 47 was concurred in by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Mineral), Judge, Keller, Kvaalen, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Pierce, Raundal, Reed, Regan, Rygg, Schwinden, Schye, Seymour, Shelden,

Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Hanks, Mr. Speaker. Total 79.

Noes: Adams, Asbjornson, Edwards, Haughey, Higham, Johnson, Kolar, Laas, Lombardi, Picard, Reinecke, Rosell. Total 12.

Absent or not voting: Jensen (Lake). Total 1.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 79 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nichols, Page, Reed, Regan, Rosell, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Wright, Mr. Speaker. Total 70.

Noes: Anderson (Madison), Burrell, Cerovski, Conklin, Edwards, Johnson, Kolar, Mathers, McOmbers, Picard, Pierce, Raundal, Reinecke, Rygg, Schwinden, Smith, Thompson, Twedt, Wayrynen, Weeks. Total 20.

Absent or not voting: Jensen (Lake), Loman. Total 2.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Gustafson, Mathers, Raundal, Rygg. Total 4.

Absent or not voting: Jensen (Lake), Lombardi. Total 2.

Excused: Abel, Nelstead. Total 2.

Motion was made by Thompson that Senate Bill No. 178 be laid on the table. Motion failed to carry.

Senate Bill No. 178 was concurred in by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Judge, Keller, Laas, Loman, Lundgren, McOmber, Melcher, Moudree, Murray, Nichols, Page, Picard, Raundal, Reed, Regan, Schye, Seymour, Spahr, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 49.

Noes: Adams, Anderson (Madison), Asbjornson, Baldwin, Bashor, Cerovski, Conklin, Coulter, Crum, Edwards, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hilling, Jensen (Mineral), Johnson, Kolar, Kvaalen, Leuthold, Lewis, Lombardi, Lord, Lucas, Mathers, Mernin, Pierce, Reinecke, Rosell, Rygg, Schwinden, Shelden, Smith, Spilde, Stearns, Stimatz, Swanz, Teigen, Thompson. Total 41.

Absent or not voting: Bardanoue, Jensen (Lake). Total 2.

Excused: Abel, Nelstead. Total 2.

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Aasheim, Anderson (Madison), Asbjornson, Bardanoue, Barnard, Bashor, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Raundal, Reinecke, Schwinden, Schye, Shelden, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swan, Teigen, Twedt, Wayrynen, Mr. Speaker. Total 64.

Noes: Adams, Anderson (Yellowstone), Baldwin, Beam, Bentz, Crum, Edwards, Goan, Gustafson, Haughey, Hazelbaker, Hilling, Johnson, Keller, Kolar, Kvaalen, Lord, Pierce, Reed, Regan, Rosell, Rygg, Seymour, Smith, Spilde, Thompson, Weeks, Wright. Total 28.

Absent or not voting: None.

Excused: Abel, Nelstead. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Keller of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of Senate Bill No. 137 be indefinitely postponed.

KELLER, Chairman.

Motion was made by Keller for adoption of the Committee report.

Substitute motion was made by Haines that Senate Bill No. 137 be segregated from the Committee of the Whole report. Anderson (Yellowstone) requested a Call of the House and a roll call vote, with the results thereof recorded in the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress being reported, Anderson (Yellowstone) moved the Call of the House be dispensed with. Motion carried. Motion to segregate Senate Bill No. 137 carried by the following vote:

Ayes: Aasheim, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Bush, Cerovski, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Goan, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Spahr, Stearns, Strana-

han, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Wayrynen, Weeks, Wright, Mr. Speaker. Total 61.

Noes: Adams, Bardanouve, Barnard, Brenner, Burrell, Conklin, Coulter, Daniels, Falkenstern, Gustafson, Hanks, Higham, Jenkins, Leuthold, Lewis, Loman, Lombardi, McOmber, Mernin, Moudree, Nichols, Raundal, Schwinden, Seymour, Shelden, Smith, Spilde, Stimatz, Teigen, Thompson, Twedt. Total 31.

Absent or not voting: None.

Excused: Abel, Nelstead. Total 2.

Report adopted, as amended.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Substitute for Senate Bill No. 159, respectfully report as follows: That Senate Substitute for Senate Bill No. 159 be amended as follows: That Senate Substitute for Senate Bill No. 159 be amended in the title on page 2 in line 2 of the printed bill, being line 22, page 1 of the original bill, by striking the word "surety";

Be further amended in the Title on page 2 in line 2 of the printed bill, being line 23, page 1 of the original bill by striking the word "ten" and inserting in lieu thereof the word "five";

Be further amended on page 5, lines 26, 27 and 28 of the printed bill, being lines 24, 25 and 26 on page 5 of the original bill, by striking the words and figures: "\$10,000.00 to insure the faithful performance of his business as a master plumber and for the payment of damages to any person, firm or corporation arising out of violation of" and inserting in lieu thereof the words and figures "\$5,000.00 to insure the faithful performance of his duties arising out of";

And as amended, be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 170, respectfully report as follows: That Senate Bill No. 170 be concurred in.

LOMAN, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having

had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 204, respectfully report as follows: That Senate Bill No. 204 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 155, respectfully report as follows: That Senate Bill No. 155 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Substitute for Senate Bill No. 86, respectfully report as follows: That Senate Substitute for Senate Bill No. 86 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 85, respectfully report as follows: That Senate Bill No. 85 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be not concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 108, respectfully report as follows: That Senate Bill No. 108 be not concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 60, respectfully report as follows: That Senate Bill No. 60 be amended as follows:

In line 161 and line 162 of page 7 of the printed bill, being line 3, line 4 and line 5 of page 8 of the original bill, following the word "security" by deleting the following words: "and no plaintiff shall be required to pay any filing fee or other costs" and inserting in lieu thereof the following words: "(Matter Deleted) A plaintiff shall be required to pay the regular fee for commencing an action as set forth in Section 25-232, R. C. M. 1947, but shall be required to pay no other fee or costs";

And as so amended, be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Substitute for House Bill No. 165, respectfully report as follows: That Senate Substitute for House Bill No. 165 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolutions Nos. 1, 8 and 5.

REED, Chairman.

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

SCHWINDEN.

I have examined House Joint Resolution No. 5 introduced by me and find the same to be correct.

McOMBER.

I have examined House Joint Resolution No. 8 introduced by me and find the same to be correct.

HAUGHEY.

The Speaker signed the following Resolutions in open session, the titles having first been read: House Joint Resolutions Nos. 1, 5 and 8.

MESSAGES FROM THE SENATE

February 22, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Highway, report adopted, and the same are herewith returned to the House:

Substitute House Bill No. 401 introduced by Highways Committee.

House Bill No. 132 introduced by Conklin et al.

House Bill No. 133 introduced by Conklin et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 22, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 298 introduced by Loman et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Keller of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 137 be passed for the day.

That consideration of Senate Substitute for Senate Bill No. 84 be passed for the day.

That Senate Amendments to Substitute House Bill No. 257 be not concurred in but that a conference committee of three members be appointed by the Speaker and a like committee requested from the Senate.

That Senate Bill No. 48 be amended in the Title in line 4 of the printed bill, which is line 7 of the original bill, by deleting the word "all" and inserting in lieu thereof the word "certain";

Be further amended in Section 1 in line 6 of the printed bill, line 18 of the original bill, by inserting the word "person" after the word "any" and before the words "(matter deleted)";

Be further amended in Section 1, line 6 of the printed bill, line 18 of the original bill, by deleting the word "employee" and inserting the words "Who is a member of the Armed Forces";

Be further amended in Section 1 by deleting the word "Government" on lines 6 and 7 of the printed bill, and line 19 of the original bill;

And as amended, that Senate Bill No. 48 be concurred in.

That further consideration of Senate Bill No. 77 be passed for the day.

That Senate Substitute for Senate Bill No. 37 be amended in the title by deleting the lines beginning with the words "providing that" and ending with the words "safety patrols" which appear in lines 10 through 14 of the printed bill, and lines 10 through 13 of the original bill;

Be further amended by striking Section 4 in its entirety and renumbering the sections that follow;

And as amended, be concurred in.

That Senate Bill No. 174 be concurred in.

That Senate Bill No. 173 be concurred in.

That Senate Bill No. 171 be concurred in.

KELLER, Chairman.

Motion was made by Keller for adoption of the Committee of the Whole report.

Substitute motion was made by Reed that Senate Bill No. 37 be segregated from the Committee report. Substitute motion carried.

Report adopted, as amended.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Senate be requested to return to the House, Senate Bill No. 79. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee

from the Senate on Senate Amendments to Substitute House Bill No. 257. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to Substitute House Bill No. 257; Broeder, Blewett and Regan.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 450 and 26, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 56, 22, 158, 98, 49, 50, 51, 68, 32, 83, 58, Substitutes Nos. 72, 41 and 34.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a. m., Thursday, February 23, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 23, 1961

House convened at 9:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-second Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Memorial No. 3, respectfully report as follows: That Senate Joint Memorial No. 3 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 90, respectfully report as follows: That Senate Bill No. 90 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 95, respectfully report as follows: That Senate Bill No. 95 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 66, respectfully report as follows: That Senate Bill No. 66 be amended as follows:

Section 1, line 2 of the printed bill, following the word "prior" and before the word "or", delete the word "to"

And be it further amended in section 1, line 4 of the printed bill, by striking out the first word on line 4, the word being "shall", and inserting in lieu thereof the word "may"

And be it further amended in section 1, on lines 5, 6 and 7 of the printed bill, following the word "of" and before the word "shall", by striking out the following words and punctuation "delay and unreasonableness of the cause therefor shall be determined by the commission in accordance with the facts. Such delay or refusal" and inserting in lieu thereof the words "unreasonable delay or refusal shall be determined by the Board and such a finding"; thereby making section 1 to read as follows: "When payment of compensation has been unreasonably delayed or refused, either prior or subsequent to the issuance of an award, the full amount of the order, decision or award may be increased by ten percent (10%) of the weekly award. The question of unreasonable delay or refusal shall be determined by the Board and such a finding shall constitute good cause to rescind, alter or amend any order, decision or award previously made in said cause for the purpose of making the increase provided herein."

And as amended, be concurred in.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be not concurred in.

LOMAN, Chairman.

Motion was made by Loman for adoption of the committee report. Substitute motion was made by Bashor that Senate Bill No. 97 be placed on General Orders. Bashor requested a roll call vote, with the results thereof to be spread on the Journal. Sufficient seconds arose, and the substitute motion carried by the following vote:

Ayes: Aasheim, Abel, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Etchart, Falkenstern, Hall, Hanks, Harper, Hazelbaker, Healy, Higham, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, Lord, Lucas, McOmber, Melcher, Mernin, Moudree, Picard, Pierce, Raundal, Reed, Schwinden, Schye, Seymour, Shelden, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swan, Teigen, Twedt, Wayrynen, Wright. Total 52.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Beam, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards,

Goan, Gustafson, Haines, Haughey, Hibbard, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lundgren, Mathers, Murray, Nichols, Page, Reinecke, Smith, Spilde, Thompson, Weeks. Total 36.

Absent or not voting: Rosell, Rygg, Sullivan (Silver Bow). Total 3.

Excused: Nelstead, Regan, Mr. Speaker. Total 3.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be not concurred in.

HAUGHEY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 22, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Lill No. 448 introduced by Nichols.

House Bill No. 446 introduced by Nichols.

Substitute House Bill No. 359 introduced by Committee on State Administration.

House Bill No. 98 introduced by Seymour et al.

House Bill No. 97 introduced by Seymour et al.

House Bill No. 117 introduced by Beam.

House Bill No. 106 introduced by Daniels et al.

House Bill No. 255 introduced by Kolar and Haughey.

House Bill No. 367 introduced by Reed et al.

House Bill No. 393 introduced by Hazelbaker and Asbjornson.

House Bill No. 394 introduced by Hazelbaker and Asbjornson.

House Bill No. 181 introduced by Keller et al.

House Bill No. 215 introduced by Keller et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 22, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Agriculture, report adopted, and the same are herewith returned to the House:

House Bill No. 44 introduced by Leuthold et al.

House Bill No. 263 introduced by Leuthold et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 22, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 247 introduced by Raundal et al.

House Bill No. 71 introduced by Hall and Harper.

House Bill No. 397 introduced by Hazelbaker et al.

House Bill No. 383 introduced by Stimatz.

House Bill No. 99 introduced by Seymour et al.

House Bill No. 258 introduced by Hazelbaker et al.

House Bill No. 32 introduced by Bentz and Weeks.

House Bill No. 266 introduced by Hawks.

House Bill No. 140 introduced by Blewett and Bradford.

Substitute House Bill No. 65 introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that House Bill No. 373 be taken from the Committee on Education and rereferred to the Committee on Appropriations. Motion carried.

The following Resolution was read and by motion of Johnson, adopted:

HOUSE RESOLUTION NO. 2 INTRODUCED BY Johnson, Rosell

A Resolution of the House of Representatives of the State of Montana requesting the governor to appoint a committee to study the problems of teen age marriages and to develop ways and means whereby a model family code can be drafted.

WHEREAS, the divorce rate in Montana is 41% higher than the U. S. average, and

WHEREAS, Montana has the highest divorce rate of the four surrounding states, except Wyoming, and

WHEREAS, studies of marriage and divorce statistics in several Montana counties indicate over half of divorcing couples were married in their teens, and a substantial number of teenage marriages ending in divorce took place the same day the marriage license was issued, and

WHEREAS, of two-hundred-five boys at the State Industrial School, 67% came from broken homes with a resulting cost of \$420,000 per year to care for these boys, and

WHEREAS, of fifty-five girls at the State Vocational School, 72% came from broken homes with a resulting cost of approximately \$165,000 per year to care for these girls, and

WHEREAS, there is a great and urgent need for legislation to correct the conditions which result in these tragic circumstances.

Now, therefore, be it resolved by the House of Representatives of the State of Montana:

That the Governor is hereby requested to appoint a committee to study the problems of teen age marriages and divorces and to develop ways and means whereby a Model Family Code can be drafted for the purpose of promoting the stability of marriages in the state of Montana and to report its recommendations to the Governor prior to the convening of the thirty-eighth legislative assembly.

BE IT FURTHER RESOLVED, that the Governor is requested to appoint as members of the committee, representatives of the Protestant, Jewish and Catholic churches, and representatives from the following groups and organizations:

The Montana Medical Association

The Montana Bar Association

The Montana District Judges Association

The Montana Social Welfare Conference

The Montana Association for Mental Health

The Montana Probation and Parole Association.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House be directed to send a copy of this resolution to the Governor of the state of Montana.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 174 was concurred in by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Pierce, Raundal, Reed, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks. Total 77.

Noes: Aasheim, Adams, Cerovski, Conklin, Daniels, Higham, Jensen (Lake), Lord, Rygg, Wright. Total 10.

Absent or not voting: Kvaalen, Lundgren, Murray, Smith. Total 4.

Excused: Nelstead, Regan, Mr. Speaker. Total 3.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard,

Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 84.

Noes: Adams, Conklin, Higham, Jensen (Lake), Lord, Rygg. Total 6.

Absent or not voting: Kvaalen, Smith. Total 2.

Excused: Nelstead, Mr. Speaker. Total 2.

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 78.

Noes: Anderson (Madison), Baldwin, Broeder, Cerovski, Conklin, Goan, Hibbard, Higham, Jensen (Lake), Lord, Mernin, Murray, Rygg. Total 13.

Absent or not voting: Smith. Total 1.

Excused: Nelstead, Mr. Speaker. Total 2.

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright. Total 71.

Noes: Adams, Asbjornson, Bush, Cerovski, Conklin, Crum, Edwards, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Kolar, Kvaalen, Loman, Raundal, Rygg, Spilde, Stearns. Total 20.

Absent or not voting: Smith. Total 1.

Excused: Nelstead, Mr. Speaker. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Gustafson of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 77 be concurred in.

That consideration of Substitute Senate Bill No. 37 be passed for the day.

That consideration of Senate Bill No. 62 be passed for the day.

That Senate Bill No. 169 be amended in Section 1, on line 14 of the printed bill, which is line 3, page 2 of the original bill, by inserting after the word "form" the following words: "and certificate hereinabove referred to" and as amended, be concurred in.

That Senate Bill No. 57 be concurred in.

That Senate Bill No. 17 be concurred in.

That Senate Bill No. 15 be amended in the title, line 14 of the original bill, by deleting the word and figure "two (2)" and inserting in lieu thereof the word and figure "four (4)";

Be further amended in Section 1, in line 10 of page 2 of the original bill, by deleting the word and figure "two (2)" and inserting in lieu thereof the word and figure "four (4)"; and as amended, be concurred in.

That Senate Bill No. 185 be concurred in.

That Senate Amendments to House Bill No. 440 be concurred in.

That Senate Joint Memorial No. 1 be concurred in.

GUSTAFSON, Chairman.

Motion was made by Gustafson for adoption of the Committee report. Substitute motion was made by Stearns that Senate Bill No. 15 be segregated from the Committee of the Whole report. Hanks requested a Call of the House and a roll call vote on the motion to segregate. There being sufficient seconds, the Speaker ordered a Call of the House and a roll call vote. Substitute motion failed to carry. Committee of the Whole report adopted as read.

MESSAGES FROM THE SENATE

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day conceded to the request of the House for return of Senate Bill No. 79 for correction and the bill is herewith returned to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to request the House return to the Senate for further consideration Substitute House Bill No. 401.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return to the Senate Substitute House Bill No. 401. Motion carried.

Motion was made by Anderson (Yellowstone) that the House return Senate Bill No. 79 to the Senate with a correct letter of transmittal. Motion carried.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 167, respectfully report as follows: That Senate Bill No. 167 be amended as follows:

In Line 31 and Line 32 of Page 1 of the original bill, being line 20 and line 21 of Page 2 of the printed bill, by deleting therefrom the words: "In any action or proceeding awaiting trial before a jury the affidavit" and inserting in lieu thereof the following words: "In any judicial district having only one judge the affidavit of disqualification with reference to any action or proceeding to be tried before a jury"

And be further amended in line 2 and line 3 of Page 2 of the original bill, being line 22 and line 23 of the printed bill, following the word "calendar" by deleting the following: ", notice of which setting date" and inserting in lieu thereof the following: "; provided, however, this limitation shall not apply unless notice of such setting date"

And as amended, be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 93, respectfully report as follows: That Senate Bill No. 93 be concurred in.

KVAALLEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 118, respectfully report as follows: That Senate Bill No. 118 be not concurred in, but that

House Substitute for Senate Bill No. 118, A bill for an act entitled: "An act to amend sections 75-1723, 75-3616, 75-3618 and 75-3706, Revised Codes of Montana, 1947, as amended by chapter 272, Laws of 1955, providing for an increase to fifteen (15) mills in the county-wide common school levy and providing for the repeal of the school district five (5) mill common school levy; and providing that certain federal payments shall not

be included in the foundation program for equalization purposes; and repealing all acts and parts of acts in conflict herewith."

Be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 89, respectfully report as follows: That Senate Bill No. 89 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Substitute Senate Bill No. 25, respectfully report as follows: That Substitute Senate Bill No. 25 be not concurred in.

BENTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be amended as follows:

In Line 20 of Section 4, Subsection (5) on Page 4 of the original bill, being Line 57 of Section 4, Subsection (5) of Page 4 of the printed bill, following the word "five" in the printed bill and following the word and figure "five (5)" in the original bill by inserting the word "resident"

In Line 23 and Line 24 of Section 4, Subsection (11), on Page 6 of the original bill, being line 110 of Section 4, Subsection (11) on Page 6 of the printed bill, following the word "sum" and before the word "money" by deleting therefrom the words "certain in" and inserting in lieu thereof the word "of"

In Line 20 of Section 6, Subsection (2), on Page 9 of the original bill, being line 21 and line 22 of Section 6, Subsection (2) of Page 9 of the printed bill, by deleting therefrom the following words and figures: "two thousand dollars (\$2,000.00)" and inserting in lieu thereof the words and figures: "five thousand dollars (\$5,000.00)"

And be further amended in line 21, line 22 and line 23 of Section 10, Subsection (g) on Page 23 of the original bill, being Line 57, line 58 and line 59 of Section 10, Subsection (g) on Page 21 of the printed bill, following the word "purpose;" by deleting therefrom the following words: "the order or priority in which the proceeds will be used for the purposes stated;"

In lines 28 to 37 of Section 13, Subsection (5) on Pages 28 and 29 of the printed bill, being Lines 1 to 11 of Section 13, Subsection (5) on Page 32 of the original bill, by striking therefrom the following punctuation and words: "; but this exemption does not apply to an annuity contract, investment contract or similar security under which the promised payments are primarily dependent upon the investment results of a segregated fund or account invested in securities. This exemption will apply to any annuity contract, investment contract or similar security under which the promised payments are substantially dependent upon the insurance contract and which are only incidentally affected by the returns upon investment in a segregated fund or account invested in securities." and inserting in lieu thereof; a period after the word "commissioner" on line 1 of Page 32 of the original bill, being line 28 of Page 28 of the printed bill.

And be further amended, in line 18 through line 9 of Section 22, Subsection (1) on Pages 43 and 44 of the original bill, being line 1 through line 18 of Section 22, Subsection (1), on Page 39 of the printed bill, by striking the entire Subsection (1) and inserting in lieu thereof the following as Subsection (1): "Section 22. Civil Liabilities. (1) Any person who offers or sells a security in violation of any provisions of sections 7 through 10 of this chapter or offers or sells a security by means of fraud or misrepresentation is liable to the person buying the security from him, who may sue either at law or in equity to recover the consideration paid for the security, together with interest at six percent per annum from the date of payment, costs, and reasonable attorneys' fees, less the amount of any income received on the security, upon the tender of the security, or for damages if he no longer owns the security. Damages are the amount that would be recoverable upon a tender less (a) the value of the security when the buyer disposed of it and (b) interest at six percent per annum from the date of disposition."

In Line 17 and line 18 of Section 22, Subsection (2) on Page 44 of the original bill, being line 24, line 25 and line 26 of Section 22, Subsection (2) on Page 40 of the printed bill, following the word "seller," by deleting the following words: "unless the non-seller who is so liable sustains the burden of proof that he did not know, and" and inserting in lieu thereof the following words: "if the non-seller knew or"

And be further amended, in line 19 of Section 22, Subsection (2) on Page 44 of the original bill, being line 26 of Section 22, Subsection (2) on Page 40 of the printed bill, following the word "could" and preceding the word "have" by deleting the word "not"

And as so amended, be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Substitute Senate Bill No. 110, respectfully report as follows: That Substitute Senate Bill No. 110 be not concurred in.

KVAALLEN, Chairman.

Motion was made by Kvaalen for adoption of the Committee report. Substitute motion was made by Aasheim that Substitute Senate Bill No. 110 be placed on General Orders. Aasheim requested a roll call vote with the results thereof recorded in the Journal. There being sufficient seconds, roll call vote was recorded as follows:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Healy, Higham, Jensen (Mineral), Judge, Leuthold, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 37.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Loman, Lord, Lucas, Lundgren, Mathers, Nestead, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 57.

Absent or not voting: None.

Excused: None.

Substitute motion failed. Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 141, respectfully report as follows: That Senate Bill No. 141 be concurred in.

PIERCE, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Substitute for Senate Bill No. 118, introduced by Committee on Education, A bill for an act entitled: "An act to amend sections 75-1723, 75-3616, 75-3618 and 75-3706, Revised Codes of Montana, 1947, as amended by chapter 272, Laws of 1955, providing for an increase to fifteen (15) mills in the county-wide common school levy and providing for the repeal of the school district five (5) mill common school levy; and providing that certain federal payments shall not be included in the foundation program for equalization purposes; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Bills.

House Bill No. 453, introduced by Hazelbaker, Anderson (Yellowstone), Hawks: A bill for an act entitled: "An act to appropriate funds from the state law library fund to reimburse Edna J. Hinman for fees deposited into the state treasury, which fees rightfully belong to her personally, in accordance with the Supreme Court decision in the case of Forrest H. Anderson, as Attorney General of the State of Montana, Respondent, vs. Edna J. Hinman, as Clerk of the Supreme Court of the State of Montana, Appellant, and Frank Murray and J. Ward Crosby, as the living predecessors to the office of the Clerk of the Supreme Court of the State of Montana, Respondents." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Gustafson of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Joint Memorial No. 2 be concurred in.

That Senate Joint Memorial No. 4 be concurred in.

That Senate Bill No. 114 be concurred in.

That consideration of Senate Bill No. 170 be indefinitely postponed.

That Senate Bill No. 109 be concurred in.

That consideration of Senate Substitute for Senate Bill No. 86 be indefinitely postponed.

That consideration of Senate Bill No. 85 be passed for the day.

That Senate Bill No. 201 be concurred in.

That consideration of Senate Bill No. 204 be passed for the day.

That Senate Bill No. 155 be concurred in.

That Senate Substitute for House Bill No. 165 be concurred in.

That House Bill No. 450 do pass.

That consideration of House Bill No. 26 be passed for the day.

That Senate Substitute for Senate Bill No. 159 be concurred in.

That consideration of Senate Bill No. 7 be passed for the day.

That Senate Bill No. 133 be concurred in.

That Senate Amendments to House Joint Memorial No. 18 be concurred in.

That Senate Bill No. 137 be amended in Section 2 in line 53, page 4 of the printed bill, which is line 26, page 3 of the original bill, by inserting after the words "machinery and fixtures" the following: "which, in the determination of the State Board of Equalization, is";

Further amend Section 2 in line 54, page 4 of the printed bill, being line 27 of page 3 of the original bill, by deleting the words and figures "five (5)" and inserting in lieu thereof the word and figure "three (3)";

Further amend Section 2 in line 71, page 4 of the printed bill, being line 14 of page 4 of the original bill, by deleting the word and figure "five (5)" and substituting in lieu thereof the word and figure "three (3)";

Further amend in Section 2 in line 71, page 4 of the printed bill, being line 14, page 4 of the original bill, by striking in its entirety the amendment of said Section by the House Committee on Ways and Means which reads as follows: "Provided, however, nothing in this act shall be construed so as to apply to industrial properties which are in existence at the time of the passage and approval of this act."

Be further amended in Section 2 in line 71, page 4 of the printed bill, being line 14, page 4 of the original bill, following the words "years or longer." by adding the words "Any person, corporation, firm, partnership, association or other group seeking to qualify its property for inclusion in this class shall make application to the State Board of Equalization in such manner and form as may be required by said Board.";

Be further amended in the Title in line 8 of page 1 of the original bill, being line 6 of the printed bill, by deleting the word "five" and substituting in lieu thereof the word "three"; and as amended, that Senate Bill No. 137 be concurred in.

That Senate Substitute for Senate Bill No. 84 be amended in the title by inserting after the word "counties" in line 2 of the printed bill, which is line 5 of the original bill, a comma and the words "cities and towns";

Further amend the title by inserting after the word "county" in lines 2 and 3 of the printed bill, which is line 5 of the original bill, a comma and the words "city or town, acting alone or with another county, city or town";

Further amend the title in lines 4 and 5 of the printed bill, which is line 6 of the original bill, after the word "service" by deleting the following words and punctuation: " , if no private ambulance service is available,";

Further amend the title by inserting after the word "county" in line 8 of the printed bill, which is line 9 of the original bill, a comma and the words "city and town";

Further amend the title in lines 10, 11, 12, 13 of the printed bill, and corresponding lines of the original bill commencing with line 11, by deleting after the word "fees" the following words: "requiring the county to abandon ambulance service if a private service comes into the county and to sell its facilities and equipment" and inserting in lieu thereof the following: "and providing for a retention of existing service";

Amend Section 1 by deleting Section 1 in its entirety and inserting in lieu thereof the following:

"Section 1. A county, city or town, acting through its governing body, may establish and maintain an ambulance service for such county, city or town, and it may also contract with another county, city or town to establish and maintain a joint ambulance service and to share the costs, such costs to be apportioned according to the benefits to accrue, the proportion to be paid by each to be fixed in advance by joint resolution by the respective governing bodies, if the governing body has received a petition signed by 30% of the taxpayers who are listed on the last completed assessment roll."

Amend Section 2 by inserting after the word "county" in line 1 of page 2 of the printed bill, which is line 24, page 1 of the original bill, a comma and the words "city or town";

Amend Section 2 by striking out in line 3 of the printed bill, which is lines 26, 27, Page 1 of the original bill, the words "with another";

Amend Section 2 in line 5 of the printed bill, which is line 28 of the original bill, by striking out the words "with another";

Amend Section 3 by striking Section 3 in its entirety and substituting in lieu thereof, the following:

"Section 3. The provisions of this act shall in no way affect county, city or town ambulance service in operation at the time of its passage."

And as amended, be concurred in.

That Senate Bill No. 99 be concurred in.

GUSTAFSON, Chairman.

Motion was made by Gustafson for adoption of the Committee report. Substitute motion was made by Laas that Senate Substitute for Senate Bill No. 86 be segregated from the Committee report. Substitute motion carried. Report adopted, as amended.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 239, 241, 264, 447, 236, 237, 238, 341 and Substitute House Bills Nos. 282 and 297.

REED, Chairman.

I have examined House Bill No. 239 introduced by me and find the same to be correct.

DANIELS.

I have examined House Bill No. 241 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

I have examined House Bill No. 264 introduced by me and find the same to be correct.

WAYRYNEN.

I have examined House Bill No. 447 introduced by me and find the same to be correct.

SCHYE.

I have examined Substitute House Bill No. 282 introduced by me and find the same to be correct.

HIGHAM.

I have examined House Bill No. 237 introduced by me and find the same to be correct.

DANIELS.

I have examined House Bill No. 238 introduced by me and find the same to be correct.

DANIELS.

I have examined House Bill No. 236 introduced by me and find the same to be correct.

DANIELS.

I have examined Substitute House Bill No. 297 introduced by me and find the same to be correct.

KVAALEN.

I have examined House Bill No. 341 introduced by me and find the same to be correct.

HAZELBAKER.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 239, 241, 264, 447, 236, 237, 238, 341 and Substitute House Bills Nos. 282 and 297.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 393, 367, 446, 255, 448, 97, 98, 181, 117 and Substitute House Bill No. 359.

REED, Chairman.

I have examined House Bill No. 97 introduced by me and find the same to be correct.

SEYMOUR.

I have examined House Bill No. 117 introduced by me and find the same to be correct.

BEAM.

I have examined House Bill No. 98, introduced by me and find the same to be correct.

SEYMOUR.

I have examined House Bill No. 181 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 255 introduced by me and find the same to be correct.

KOLAR.

I have examined House Bill No. 367 introduced by me and find the same to be correct.

REED.

I have examined Substitute House Bill No. 359 introduced by me and find the same to be correct.

WRIGHT.

I have examined House Bill No. 393 introduced by me and find the same to be correct.

HAZELBAKER.

I have examined House Bill No. 446 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 448 introduced by me and find the same to be correct.

NICHOLS.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 393, 367, 446, 255, 448, 97, 98, 181, 117 and Substitute House Bill No. 359.

February 21, 1961

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 34, 162, 94, 219, 208, 146, 110, 5, 204, 11, 185, 7, 114, 316, 292, 211, 235, Substitute House Bills Nos. 79, 175 and 216, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:35 o'clock a. m., delivered to the Governor for his approval.

REED, Chairman.

February 21, 1961

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 81, 179, 283, 403, 404, Substitute House Bills Nos. 61, 82 and 295, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:10 o'clock p. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a. m., Friday, February 24, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 24, 1961

House convened, pursuant to adjournment, at 9:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-third Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

February 23, 1961

Hon. Clyde L. Hawks, Speaker,
House of Representatives.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 94—Introduced by Weeks, Lucas et al.

House Bill No. 219—Introduced by Stimatz and Mernin.

House Bill No. 34—Introduced by Haines and Lucas.

House Bill No. 162—Introduced by Schye, Emmons, Laas and Healy.

House Bill No. 185—Introduced by Jensen (Lake), Leuthold et al.

House Bill No. 235—Introduced by Hazelbaker.

House Bill No. 211—Introduced by Haughey, Goan and Crum.

House Bill No. 316—Introduced by Page.

House Bill No. 114—Introduced by Hilling, Pierce, Bradford and Hanks.

House Bill No. 5—Introduced by Broeder, Lundgren et al.

Substitute House Bill No. 216—Introduced by Committee on Business and Industry.

Substitute House Bill No. 175—Introduced by Livestock and Ranges Committee.

Substitute House Bill No. 79—Introduced by Fish and Game Committee.

Sincerely,

DONALD G. NUTTER,
Governor.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

Substitute House Bill No. 90 introduced by Ways and Means Committee.

House Bill No. 399 introduced by Cerovski (by request).

House Joint Memorial No. 15 introduced by Bardanouve and Eskildsen.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Public Health, Welfare and Safety, report adopted, and the same are herewith returned to the House:

Substitute House Bill No. 35 introduced by Committee on Public Health, Welfare and Safety.

House Bill No. 281 introduced by Spahr and Regan.

House Bill No. 288 introduced by Keller et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Committee on Judiciary and are herewith returned to the House:

Substitute House Bill No. 134 introduced by Highways Committee.

House Bill No. 135 introduced by Blewett et al.

But that Senate Substitute for Substitute House Bill No. 134 and Senate Substitute for House Bill No. 135 do pass, report adopted.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Taxation, report adopted, and the same is herewith returned to the House:

Substitute House Bill No. 274 introduced by Committee on Ways and Means.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 212 introduced by Schwinden et al was recommended for non-concurrence by the Committee on Oil and Gas but that Senate Substitute for House Bill No. 212 do pass, report adopted, and House Bill No. 212 is returned to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 27 introduced by Haughey et al.

Substitute House Bill No. 221 introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 227 introduced by Page et al.

House Bill No. 223 introduced by Page et al.

House Bill No. 224 introduced by Page et al.

House Bill No. 192 introduced by Bush et al.

Substitute House Bill No. 267 introduced by the Committee on Business and Industry.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President this day appointed the following Conference Committee to confer with a like Committee from the House on Substitute House Bill No. 257:

Cumming, Chairman,
Mahoney,
Ullom.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen, (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Conklin, Daniels, Jensen (Mineral), Loman, Picard, Rygg, Weeks. Total 7.

Excused: None.

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Daniels, Jensen (Mineral), Mernin, Picard, Rygg. Total 5.

Excused: None.

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Bentz, Hanks, Jensen (Lake), Johnson, Loman, Nelstead, Schye, Spilde. Total 8.

Absent or not voting, Daniels, Jensen (Mineral), Picard. Total 3.

Excused: None.

Senate Bill No. 185 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Daniels, Jensen (Mineral), Picard. Total 3.

Excused: None.

Senate Joint Memorial No. 1 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 78.

Noes: Conklin, Goan, Gustafson, Kvaalen, Reinecke. Total 5.

Absent or not voting: Aasheim, Barnard, Bush, Daniels, Hall, Jensen (Mineral), Picard, Pierce, Schye, Spilde, Weeks. Total 11.

Excused: None.

Senate Bill No. 169 was concurred in by the following vote:

Ayes: Abel, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Judge, Kvaalen, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Reinecke, Rygg, Schwinden, Shelden, Smith, Spahr, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Weeks, Wright. Total 62.

Noes: Adams, Anderson (Yellowstone), Bashor, Conklin, Crum, Emmons, Goan, Hall, Harper, Haughey, Jensen (Mineral), Johnson, Keller, Kolar, Laas, Lombardi, Mernin, Moudree, Raundal, Regan, Rosell, Schye, Seymour, Spilde, Stimatz, Stranahan, Thompson, Wayrynen. Total 28.

Absent or not voting: Aasheim, Daniels, Picard, Mr. Speaker. Total 4.

Excused: None.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Barnard, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Dykstra, Emmons, Etchart, Haines, Hanks, Hazelbaker, Healy, Hibbard, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kvaalen, Laas, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Mernin, Murray, Nelstead, Nichols, Page, Raundal, Reed, Reinecke, Rygg, Shelden, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Wayrynen, Wright. Total 51.

Noes: Abel, Asbjornson, Bardanouve, Bashor, Beam, Bentz, Blewett, Crum, Edwards, Eskildsen, Falkenstern, Goan, Gustafson, Hall, Harper, Haughey, Higham, Hilling, Keller, Kolar, Leuthold, Mathers, Melcher, Moudree, Pierce, Regan, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Swanz, Thompson, Twedt, Weeks, Mr. Speaker. Total 40.

Absent or not voting: Aasheim, Daniels, Picard. Total 3.

Excused: None.

Senate Joint Memorial No. 2 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Seymour, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Conklin, Goan, Keller, Kolar, Kvaalen, Rosell. Total 6.

Absent or not voting: Aasheim, Barnard, Hall, Picard, Schye, Shelden, Spilde. Total 7.

Excused: None.

Senate Joint Memorial No. 4 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Conklin, Haughey. Total 2.

Absent or not voting: Aasheim, Bardanouve, Picard, Schwinden, Schye, Spilde. Total 6.

Excused: None.

Senate Bill No. 114 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 79.

Noes: Bardanouve, Brenner, Burrell, Conklin, Emmons, Eskildsen, Harper, Kolar, Kvaalen, Reinecke, Smith, Spahr, Teigen. Total 13.

Absent or not voting: Aasheim, Picard. Total 2.

Excused: None.

Senate Bill No. 109 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Aasheim, Picard. Total 2.

Excused: None.

Senate Bill No. 201 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow) Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Conklin, Gustafson. Total 2.

Absent or not voting: Aasheim, Picard. Total 2.

Excused: None.

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Conklin, Lombardi, Mernin, Stimatz. Total 4.

Absent or not voting: Aasheim, Picard. Total 2.

Excused: None.

Senate Substitute for Senate Bill No. 159 was concurred in by the following vote:

Ayes: Abel, Anderson (Madison), Barnard, Bashor, Beam, Blewett, Bradford, Burrell, Bush, Conklin, Crum, Daniels, Dykstra, Emmons, Eskildsen, Goan, Hanks, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Lewis, Loman, Lombardi, Lucas, Mathers, McOmber, Melcher, Mernin, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Seymour, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen. Total 48.

Noes: Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Bentz, Brenner, Broeder, Cerovski, Coulter, Edwards, Etchart, Falkenstern, Gustafson, Haines, Hall, Harper, Haughey, Hazelbaker, Jensen (Mineral), Jensen (Lake), Keller, Kolar, Kvaalen, Laas, Leuthold, Lord, Lundgren, Moudree, Murray, Raundal, Rosell, Rygg, Schwinden, Schye, Smith, Spilde, Stearns, Stranahan, Teigen, Weeks, Wright, Mr. Speaker. Total 43.

Absent or not voting: Aasheim, Picard, Twedt. Total 3.

Excused: None.

Senate Bill No. 133 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Beam, Jensen (Lake). Total 2.

Absent or not voting: Picard, Sullivan (Silver Bow). Total 2.

Excused: None.

Senate Bill No. 99 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Conklin, Eskildsen, Harper, Jensen (Mineral), Lombardi, Mernin, Stimatz. Total 7.

Absent or not voting: Picard, Sullivan (Silver Bow). Total 2.

Excused: None.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Substitute for House Bill No. 165 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde,

Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Cerovski, Eskildsen, Raundal, Schye, Sullivan (Silver Bow). Total 5.

Excused: None.

Senate Amendments to House Bill No. 440 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Barnard, Sullivan (Silver Bow). Total 2.

Excused: None.

Senate Amendments to House Joint Memorial No. 18 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Hilling, Kvaalen, Rosell, Thompson. Total 4.

Absent or not voting: Crum, Loman, Reed, Schye, Spilde. Total 5.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting.

Melcher of Rosebud in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of Senate Substitute for Senate Bill No. 37 be indefinitely postponed.

That Senate Bill No. 62 be amended in the title in line 13 of both the printed bill and the original bill, by deleting the word "or" which appears after the word "representative" and inserting in lieu thereof the word "and";

Be amended further in section 1 in line 11 of the printed bill, which is page 2, line 3 of the original bill, by deleting the word "or" following the word "representative" and inserting in lieu thereof the word "and";

And as amended, be concurred in.

That consideration of Senate Bill No. 85 be passed for the day.

That consideration of Senate Bill No. 204 be passed for the day.

That House Bill No. 26 do pass.

That Senate Bill No. 7 be concurred in.

That Senate Substitute for Senate Bill No. 86 be amended in section 1, beginning in line 30 of the printed bill, and line 20 of the original bill, by striking out after the word "who" the words "is engaged in a gainful occupation or business enterprise (matter deleted) or who";

And as amended, be concurred in.

That Senate Amendments to House Bill No. 247 be concurred in.

That Senate Amendments to House Bill No. 71 be concurred in.

That Senate Amendments to House Bill No. 397 be concurred in.

That Senate Amendments to House Bill No. 383 be concurred in.

That Senate Amendments to House Bill No. 99 be concurred in.

That Senate Amendments to House Bill No. 258 be concurred in.

That Senate Amendments to House Bill No. 32 be not concurred in, but that a conference committee of three members be appointed, and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 266 be concurred in.

That Senate Amendments to House Bill No. 140 be concurred in.

That Senate Bill No. 167 be concurred in.

That further consideration of Senate Bill No. 141 be indefinitely postponed.

That Senate Bill No. 66 be amended in the title in line 4 of the printed bill, and line 7 of the original, by deleting the word "shall" and inserting in lieu thereof the word "may";

And as amended, be concurred in.

That Senate Bill No. 93 be concurred in.

That Senate Bill No. 89 be concurred in.

That further consideration of Senate Bill No. 76 be indefinitely postponed.

MELCHER, Chairman.

Motion was made by Melcher for adoption of the Committee report.

Substitute motion was made by Aasheim that Senate Bill No. 76 be

segregated from the Committee report. Aasheim requested a Call of the House and a roll call vote, with the results thereof recorded in the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. After roll call, progress being reported, Aasheim moved the Call of the House be dispensed with. Motion carried. Substitute motion carried by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Hazelbaker, Healy, Higham, Jensen (Mineral), Jensen (Lake), Judge, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, McOmber, Melcher, Mernin, Moudree, Page, Picard, Raundal, Reed, Regan, Rosell, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 47.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Broeder, Burrell, Bush, Crum, Dykstra, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hibbard, Hilling, Jenkins, Johnson, Keller, Kolar, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Pierce, Reinecke, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 45.

Absent or not voting: Edwards, Gustafson. Total 2.

Excused: None.

Committee report adopted, as amended.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 450.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be not concurred in.

HAUGHEY, Chairman.

Motion was made by Haughey for adoption of the committee report.

Substitute motion was made by Wayrynen that Senate Bill No. 103 be placed on General Orders. Wayrynen requested a roll call vote, the results thereof to be spread on the Journal. There being a sufficient number of seconds, a roll call vote followed, and the substitute motion carried, to-wit:

Ayes: Aasheim, Abel, Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Laas, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks. Total 76.

Noes: Adams, Anderson (Yellowstone), Baldwin, Edwards, Gustafson, Haughey, Johnson, Kolar, Kvaalen, Leuthold, Nelstead, Spilde, Thompson, Wright, Mr. Speaker. Total 15.

Absent or not voting: Nichols, Rygg, Schye. Total 3.

Excused: None.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 132, 26, 157, 23, 30, 6, 4, 2, 88, 140, 163, 5, 3 and 54.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 26.

REED, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be not concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 128, respectfully report as follows: That Senate Bill No. 128 be not concurred in.

KELLER. Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be not concurred in.

KELLER. Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

LOMAN, Chairman.

Loman moved for adoption of the committee report.

Substitute motion was made by Stimatz that further action on Senate Bill No. 112 be indefinitely postponed. After debate Anderson (Yellowstone) moved the previous question. Stimatz rose on debate of the original motion; Anderson (Yellowstone) rose on a point of order, calling attention to the motion for the previous question which had carried. Schwinden rose on a point of order that the previous question did not apply to all motions before the House, unless so stated. The Speaker referred the question to the Rules Committee. Thereupon, Anderson (Yellowstone) moved for a recess, subject to the Call of the Chair, so that the Rules Committee might consider the question placed before that committee. Motion carried.

House recessed.

House resumed.

Anderson (Yellowstone) reported that the Rules Committee had reached an agreement on the question referred to that committee, and had concluded that the point of order by Schwinden was not well taken in that under Rule 30 of Subsection 1 of the Rules of the House, the previous question was to the entire group of adhering motions under consideration.

Stimatz made a substitute motion that Senate Bill No. 112 be taken from the Committee on Business and Industry and referred to the Judiciary Committee. Substitute motion failed to carry. Committee report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 181, respectfully report as follows: That Senate Bill No. 181 be amended as follows:

Be amended in the title by striking the word "if" in the second line thereof, and inserting in lieu thereof the word "whenever";

Be amended in the title by striking the word "power" in the third line thereof and inserting in lieu thereof the word "right";

Be amended in the title by striking the word "ever" in the third line thereof; by striking the words beginning with the word "simultaneously" and ending with the word "damages" and inserting in lieu thereof the following: "agree to purchase property located within a distance of three hundred (300) feet"; by inserting after the word "plat" the words "or plats" and by striking after the word "providing" the words "a repealing clause and";

Be further amended by striking Section 1 in its entirety and inserting in lieu thereof the following:

"Section 1. Whenever the right of eminent domain is exercised to acquire estates and rights in land for the purpose of open pit mining of the ores, metals or minerals owned by the plaintiff, the decree may be granted on condition that the plaintiff protects the public in the immediate area by agreeing to purchase all property not utilized for industrial or commercial purposes located within three hundred (300) feet of the surface tract condemned, providing the owner or owners thereof serve upon the plaintiff a written offer to sell such property within thirty (30) days from the entry of the court order appointing commissioners in said eminent domain proceeding. In the event the plaintiff and the owner or owners are unable to agree upon the purchase price to be paid for such property, the court, upon petition of either party, may proceed to determine the purchase price to be paid for such property in the manner prescribed in Title 93, Chapter 99, Revised Codes of Montana, 1947, as amended, for ascertaining the value of property taken through the exercise of the right of eminent domain."

Be further amended by striking sections 2, 3 and 4 in their entirety and inserting in lieu thereof the following:

"Section 2. Whenever it is sought to condemn streets, roads, alleys or highways for the purposes stated in Section 1 hereof there shall also be attached to the complaint for condemnation a plat or plats showing the alternate facilities to be proposed and paid for by the plaintiff, and the court, in its final order of condemnation, may order the plaintiff to construct such reasonable and adequate alternate facilities as it deems appropriate under the circumstances."

Be further amended by renumbering Section 5 to read "Section 3";

And as amended, be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Substitute for Senate Bill No. 12, respectfully report as follows: That Senate Substitute for Senate Bill No. 12 be concurred in.

LOMAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 96, respectfully report as follows: That Senate Bill No. 96 be amended as follows:

By striking out in line 18 of the printed bill and in lines 30 and 31,

Section 1 of the original bill the words "for a period of not over one (1) year";

Further amend on line 20 of the printed bill and lines 1 and 2, page 2, Section 1 of the original bill by deleting the words "and who shall not be eligible for reappointment.";

Further amend on line 20 of the printed bill and on line 1, page 2, Section 1 of the original bill by inserting a period (.) after the word "profession.";

And as amended, be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 1, recommend the following: That Senate Joint Resolution No. 1 be amended as follows:

By striking out in line 30 of the printed bill and line 13, page 2 of the original bill the words and punctuation "equal to, or"

And further amend by striking out in line 31 of the printed bill and in line 15, page 2 of the original bill the words "is directed to" and insert the word "may";

And as amended, be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 136, respectfully report as follows: That Senate Bill No. 136 be amended as follows:

Be amended in the title by striking out in line 12 of the original bill the figures "1965" and inserting in lieu thereof the figures: "1963";

Be further amended in the title, following the amended figure "1963" and semi-colon by inserting the following new material: "providing for an earlier termination date by a local agency if desired;";

Amend Section 1, line 24 of the original bill following the word "time" insert the following new material: "by any local agency on or after June 1, 1962";

Further amend Section 1, line 29 of the original bill, following the words "(matter deleted)" delete "1965" and insert in lieu thereof the figures "1963.";

And as amended, be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 70, respectfully report as follows: That Senate Bill No. 70 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 69, respectfully report as follows: That Senate Bill No. 69 be concurred in.

HAUGHEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 453, respectfully report as follows: That House Bill No. 453 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do not pass, but that

Substitute House Bill No. 228, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the state hospital from the special alcoholism fund established by section 4-123, R. C. M. 1947, as amended, for the detention, care and treatment of inebriates and for educational purposes."

Do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 376, 320, 206, 159 and 271.

REED, Chairman.

I have examined House Bill No. 206 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 320 introduced by me and find the same to be correct.

EDWARDS.

I have examined House Bill No. 376 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

I have examined House Bill No. 159 introduced by me and find the same to be correct.

SEYMOUR.

I have examined House Bill No. 271 introduced by me and find the same to be correct.

DYKSTRA.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 376, 320, 206, 159 and 271.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 130, 180, 193, 253, 319, 394.

REED, Chairman.

I have examined House Bill No. 130 introduced by me and find the same to be correct.

HALL.

I have examined House Bill No. 180 introduced by me and find the same to be correct.

HILLING.

I have examined House Bill No. 193 introduced by me and find the same to be correct.

PICARD.

I have examined House Bill No. 253 introduced by me and find the same to be correct.

BRADFORD.

I have examined House Bill No. 319 introduced by me and find the same to be correct.

BLEWETT.

I have examined House Bill No. 394 introduced by me and find the same to be correct.

HAZELBAKER.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 130, 180, 193, 253, 319, 394.

MESSAGES FROM THE GOVERNOR AND SENATE

February 23, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 110—Introduced by Stranahan, Asbjornson and Eskildsen.

Sincerely,

DONALD G. NUTTER,
Governor.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to request the House return to the Senate for further consideration, House Bill 118.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 406 introduced by Schye, et al.

House Bill No. 449 introduced by Judiciary Committee.

House Bill No. 375 introduced by Kvaalen and Bardanouve.

House Bill No. 118 introduced by Etchart, et al.

House Bill No. 335 introduced by Murray.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Cerovski, having voted on the prevailing side, moved that the House reconsider its previous action in adopting an adverse committee report on Substitute Senate Bill No. 110. Motion failed to carry.

Anderson (Yellowstone) moved that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 32. Motion carried.

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return House Bill No. 118 to the Senate. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to committees:

House Bill No. 454, introduced by Adams: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963." Referred to Committee on Appropriations.

Substitute House Bill No. 228, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the state hospital from the special alcoholism fund established by section 4-123, R. C. M. 1947, as amended, for the detention, care and treatment of inebriates and for educational purposes." Referred to Committee on Bills.

CONSIDERATION OF GENERAL ORDERS

Anderson (Yellowstone) moved that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Melcher of Rosebud in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of Senate Bill No. 76 be indefinitely postponed.

That further consideration of Senate Bill No. 142 be indefinitely postponed.

That further consideration of Senate Bill No. 97 be indefinitely postponed.

That Senate Bill No. 60 be concurred in.

That Senate Bill No. 172 be concurred in.

That Senate Bill No. 59 be concurred in.

That Senate Bill No. 90 be concurred in.

That Senate Bill No. 95 be concurred in.

That further consideration of Senate Joint Memorial No. 3 be indefinitely postponed.

That Senate Bill No. 94 be concurred in.

That Senate Bill No. 20 be amended in Section 6, line 16, page 8 of the

printed bill, which is line 13, page 9 of the original bill, by inserting after the period following the words "section 16" the following: "Except for persons in the employ of brokerage firms governed by the regulations of the Securities and Exchange Commission, all";

And as amended, that Senate Bill No. 20 be concurred in.

That Senate Amendments to Substitute House Bill No. 65 be not concurred in, but that a conference committee of three members be appointed, and a like committee requested from the Senate.

MELCHER, Chairman.

Motion was made by Melcher for adoption of the committee report.

Substitute motion was made by Daniels that Senate Bill No. 76 be segregated from the Committee of the Whole report. Daniels requested a Call of the House and a roll call vote, with the results thereof recorded in the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress reported, Daniels moved the Call of the House be dispensed with. Motion carried.

The substitute motion failed to carry by the following vote:

Ayes: Abel, Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Gustafson, Hanks, Harper, Hazelbaker, Healy, Higham, Jensen (Mineral), Jensen (Lake), Judge, Kvaalen, Laas, Lewis, Lombardi, McOmber, Melcher, Moudree, Picard, Raundal, Reed, Rosell, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 41.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hibbard, Hilling, Jenkins, Johnson, Keller, Kolar, Leuthold, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Regan, Reinecke, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 50.

Absent or not voting: Aasheim, Loman. Total 2.

Excused: Mernin. Total 1.

Substitute motion was made by Daniels that Senate Bill No. 97 be segregated from the Committee of the Whole report. Roll call vote was requested, with the results thereof to be spread on the Journal. There being sufficient seconds, roll call vote followed and the substitute motion failed to carry as follows:

Ayes: Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Conklin, Daniels, Emmons, Eskildsen, Etchart, Gustafson, Hanks, Harper, Hazelbaker, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, Lord, Lucas, McOmber, Melcher, Moudree, Picard, Raundal, Reed, Regan, Schwinden, Schye, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen. Total 42.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Falkenstern, Goan, Haines, Hall, Haughey, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reinecke, Rosell, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Thompson, Weeks, Wright, Mr. Speaker. Total 48.

Absent or not voting: Aasheim, Loman, Rygg. Total 3.

Excused: Mernin. Total 1.

Original motion for adoption of the Committee of the Whole report carried. Report adopted.

MOTIONS AND RESOLUTIONS

Anderson (Yellowstone) moved that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on Senate Amendments to Substitute House Bill No. 65. Motion carried.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Substitute for Senate Bill No. 118, beg leave to report that the same has this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Substitute for Senate Bill No. 84 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Abel, Baldwin, Cerovski, Daniels, Hall, Kolar, Lombardi, Stimatz. Total 8.

Absent or not voting: Aasheim, Loman. Total 2.

Excused: Mernin. Total 1.

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Goan, Gustafson, Haines, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 67.

Noes: Abel, Barnard, Bush, Conklin, Eskildsen, Falkenstern, Hall, Hanks, Harper, Lewis, Loman, Lombardi, Lord, McOmber, Moudree, Raundal, Schwinden, Shelden, Stearns, Stimatz, Swanz, Teigen, Twedt. Total 23.

Absent or not voting: Aasheim, Spahr, Spilde. Total 3.

Excused: Mernin. Total 1.

Senate Bill No. 167 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison),

Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Aasheim, Hazelbaker, Loman, Pierce, Stearns. Total 5.

Excused: Mernin. Total 1.

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Anderson (Yellowstone), Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lombardi, Lord, Lucas, Lundgren, McOmber, Moudree, Murray, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 71.

Noes: Abel, Adams, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Conklin, Edwards, Gustafson, Jenkins, Kolar, Lewis, Mathers, Melcher, Nelstead, Stranahan, Teigen, Twedt. Total 18.

Absent or not voting: Aasheim, Hazelbaker, Loman, Stearns. Total 4.

Excused: Mernin. Total 1.

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstein, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Aasheim, Hazelbaker, Laas, Loman, Stearns. Total 5.

Excused: Mernin. Total 1.

Senate Substitute for Senate Bill No. 86 was concurred in by the following vote:

Ayes: Anderson (Yellowstone), Baldwin, Bardanouve, Barnard, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Coulter, Daniels, Dykstra, Emmons, Falkenstern, Haines, Hanks, Healy, Hibbard, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lord, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Picard, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Wayrynen, Weeks. Total 52.

Noes: Abel, Adams, Anderson (Madison), Asbjornson, Bashor, Beam, Bradford, Cerovski, Conklin, Crum, Edwards, Eskildsen, Etchart, Goan, Gustafson, Hall, Harper, Haughey, Higham, Hilling, Johnson, Kolar, Lombardi, Lucas, Nichols, Pierce, Raundal, Rosell, Smith, Spilde, Stimatz, Stranahan, Swanz, Thompson, Twedt, Wright, Mr. Speaker. Total 37.

Absent or not voting: Aasheim, Hazelbaker, Loman, Stearns. Total 4.

Excused: Mernin. Total 1.

Senate Bill No. 66 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lord, Lucas, Lundgren, Mathers, McOmber, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Conklin, Gustafson, Lombardi, Spahr. Total 4.

Absent or not voting: Aasheim, Hazelbaker, Loman, Stearns. Total 4.

Excused: Mernin. Total 1.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Abel, Anderson (Madison), Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nichols, Page, Picard, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen, Wright, Mr. Speaker. Total 64.

Noes: Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Beam, Bentz, Crum, Edwards, Goan, Haughey, Hilling, Johnson, Keller, Kolar, Kvaalen, Lord, Nelstead, Pierce, Rosell, Spilde, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks. Total 25.

Absent or not voting: Aasheim, Hazelbaker, Loman, Stearns. Total 4.

Excused: Mernin. Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 450 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Aasheim, Conklin, Hazelbaker, Loman, Stearns. Total 5.

Excused: Mernin. Total 1.

House Bill No. 26 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Barnard, Beam, Bentz, Blewett, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 74.

Noes: Baldwin, Bashor, Bradford, Broeder, Daniels, Emmons, Harper, Johnson, Kolar, Lombardi, Moudree, Picard, Reinecke, Stranahan. Total 14.

Absent or not voting: Aasheim, Bardanouve, Eskildsen, Hazelbaker, Loman. Total 5.

Excused: Mernin. Total 1.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do not pass, but that

Substitute House Bill No. 373, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to provide additional funds for the operation of the public schools of the state of Montana for the period beginning July 1, 1961, and ending June 30, 1963; providing for the distribution of said funds for the credit of the various school districts and county high schools of the state on the basis of average number belonging, and the manner of such distribution; providing that none of said funds shall be distributed in excess of the foundation program needs of any school district or county high school; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."

Do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had un-

der consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do pass.

NICHOLS, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Bills:

Substitute House Bill No. 373, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to provide additional funds for the operation of the public schools of the state of Montana for the period beginning July 1, 1961, and ending June 30, 1963; providing for the distribution of said funds for the credit of the various school districts and county high schools of the state on the basis of average number belonging, and the manner of such distribution; providing that none of said funds shall be distributed in excess of the foundation program needs of any school district or county high school; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."

MESSAGES FROM THE SENATE

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 345 introduced by Broeder and Cerovski.

House Bill No. 125 introduced by Abel et al.

House Bill No. 321 introduced by Lundgren et al.

House Joint Memorial No. 13 introduced by Bardanouve et al.

Substitute House Bill No. 203 introduced by Committee on Business and Industry.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on State Administration, report adopted, and the same is herewith returned to the House:

Substitute House Bill No. 391 introduced by Committee on State Administration.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments:

To confer on Senate Amendments to House Bill No. 32: Bentz, Broeder and Lewis.

To confer on Senate Amendments to Substitute House Bill No. 65: Blewett, Dykstra and Stimatz.

Motion was made by Anderson (Yellowstone) that the House adjourn until 9:00 a. m., Saturday, February 25, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 25, 1961

House convened, pursuant to adjournment, at 9:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-fourth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 182, respectfully report as follows: That Senate Bill No. 182 be not concurred in.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 28, 106, 170, 177, 207, 215, 358, 444.

REED, Chairman.

I have examined House Bill No. 28 introduced by me and find the same to be correct.

LEUTHOLD.

I have examined House Bill No. 106 introduced by me and find the same to be correct.

DANIELS

I have examined House Bill No. 170 introduced by me and find the same to be correct.

SPAHR.

I have examined House Bill No. 177 introduced by me and find the same to be correct.

BEAM.

I have examined House Bill No. 207 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 358 introduced by me and find the same to be correct.

CEROVSKI.

I have examined House Bill No. 215 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 444 introduced by me and find the same to be correct.

NICHOLS.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 28, 106, 170, 177, 207, 215, 358 and 444.

MESSAGES FROM THE SENATE

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Substitute for House Substitute for Senate Bill No. 102 introduced by Committee on Fish and Game was this day read third time and passed, title and history agreed to and the same is herewith transmitted to the House for concurrence.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 291, introduced by Melcher, et al.

House Bill No. 248, introduced by Sullivan (Silver Bow).

Substitute House Bill No. 269, introduced by Townships and Counties Committee.

House Joint Resolution No. 12, introduced by Cerovski, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as

amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 113, introduced by Hilling, et al.

House Bill No. 250, introduced by Sullivan (Silver Bow).

House Bill No. 172, introduced by Keller, et al.

House Bill No. 249, introduced by Sullivan (Silver Bow).

House Bill No. 371, introduced by Blewett.

House Bill No. 410, introduced by Keller, et al.

House Joint Memorial No. 14, introduced by Barnard and Bardanouve.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Judiciary, report adopted, and the same is herewith returned to the House:

Substitute House Bill No. 41, introduced by Committee on Judiciary.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

Senate Substitute for House Substitute for Senate Bill No. 102, introduced by Committee on Fish and Game: A bill for an act entitled: "An act authorizing the state fish and game commission to issue special non-resident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed, and containing an expiration date." Referred to Committee on Fish and Game.

House Bill No. 455, introduced by Abel, Emmons, Keller: A bill for an act entitled: "An act to appropriate funds from the state law library fund to reimburse Thomas J. Kearney for fees deposited into the state treasury, which fees rightfully belong to him personally, in accordance with supreme court decision in the case of Forrest H. Anderson, as attorney general of the State of Montana, respondent, vs. Edna J. Hinman, as clerk of the supreme court of the State of Montana, appellant, and Frank Murray and J. Ward Crosby, as the living predecessors to the office of the clerk of the supreme court of the State of Montana, respondents." Referred to Committee on Appropriations.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 60 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Nichols, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Hazelbaker, Kolar, Lord. Total 3.

Excused: Haines, Lucas. Total 2.

Senate Bill No. 172 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Higham, Jensen (Lake), Rygg. Total 3.

Absent or not voting: Lord. Total 1.

Excused: Haines, Lucas. Total 2.

Senate Bill No. 59 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Asbjornson, Mr. Speaker. Total 90.

Noes: Bashor, Edwards, Goan, Gustafson. Total 4.

Absent or not voting: None.

Excused: None.

Senate Bill No. 90 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Bradford, Broeder, Burrell, Bush, Cerovski,

Conklin, Crum, Dykstra, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Rosell, Rygg, Seymour, Smith, Spahr, Stearns, Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 57.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Blewett, Brenner, Coulter, Daniels, Edwards, Emmons, Eskildsen, Hall, Harper, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Picard, Raundal, Reinecke, Schwinden, Schye, Shelden, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt. Total 35.

Absent or not voting: Healy, Sullivan (Silver Bow). Total 2.

Excused: None.

Senate Bill No. 95 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Higham, Hibbard, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Goan, Keller, Murray. Total 3.

Absent or not voting: Haughey, Reed, Sullivan (Silver Bow). Total 3.

Excused: None.

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Keller, Murray. Total 2.

Absent or not voting: Bentz, Haughey, Sullivan (Silver Bow). Total 3.

Excused: None.

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Hig-

ham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Abel, Falkenstern, Kvaalen, Laas, Lewis, Raundal, Shelden, Thompson, Twedt. Total 9.

Absent or not voting: Schwinden, Sullivan (Silver Bow). Total 2.

Excused: None.

Senate Bill No. 7, requiring a two-thirds vote for passage, was not concurred in by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Haughey, Hazelbaker, Hilling, Jenkins, Jensen (Mineral), Judge, Keller, Laas, Lewis, Loman, Lombardi, Mathers, McOmber, Melcher, Mernin, Moudree, Nichols, Picard, Pierce, Regan, Schwinden, Shelden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 49.

Noes: Aasheim, Adams, Asbjornson, Baldwin, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Healy, Hibbard, Higham, Jensen (Lake), Johnson, Kolar, Kvaalen, Leuthold, Lord, Lucas, Lundgren, Murray, Nelstead, Page, Raundal, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Wright. Total 45.

Absent or not voting: None.

Excused: None.

THIRD READING OF HOUSE BILLS

The following amendments to House Bills were read and disposed of in the following manner:

Senate Amendments to House Bill No. 247 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Selmour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Daniels, Goan, Page. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 71 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Blewett, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Daniels, Goan, Page. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 397 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Nelstead, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Keller, Mr. Speaker. Total 80.

Noes: Edwards, Goan, Murray, Picard, Raundal, Stimatz, Sullivan (Silver Bow), Teigen. Total 8.

Absent or not voting: Daniels, Mernin, Page, Shelden, Spahr. Total 5.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 383 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Bentz, Lucas. Total 2.

Absent or not voting: Daniels, Hazelbaker, Kvaalen, Page. Total 4.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 99 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Daniels, Hazelbaker, Page, Shelden, Kvaalen. Total 5.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 258 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Bashor, Harper, Lombardi, Picard, Stranahan. Total 5.

Absent or not voting: Daniels, Kvaalen, Page, Shelden. Total 4.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 266 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Stimatz. Total 1.

Absent or not voting: Daniels, Kvaalen, Page. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 140 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nestead, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Daniels, Emmons, Healy, Lombardi, Picard, Sullivan (Deer Lodge). Total 6.

Absent or not voting: Kvaalen, Page. Total 2.

Excused: Nichols. Total 1.

MOTIONS AND RESOLUTIONS

Motion was made by Aasheim that the House reconsider its previous action in adopting an adverse committee report on Senate Bill No. 182. Motion carried.

Motion was made by Aasheim that Senate Bill No. 182 be placed on General Orders. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of Senate Bill No. 85 be indefinitely postponed.

That Senate Bill No. 204 be concurred in.

That Senate Bill No. 112 be concurred in.

That Senate Bill No. 36 be concurred in.

That further consideration of Senate Bill No. 69 be indefinitely postponed.

That further consideration of Senate Bill No. 70 be indefinitely postponed.

That House Substitute for Senate Bill No. 118 do pass.

ROSELL, Chairman.

Motion was made by Rosell for adoption of the Committee of the Whole report. Substitute motion was made by Johnson that Senate Bill No. 69 be segregated from the committee report. Johnson requested a Call of the House and a roll call vote to be recorded in the Journal. There being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress being reported, Johnson moved the Call of the House be dis-

pensed with. Motion carried. Substitute motion failed to carry by the following vote:

Ayes: Adams, Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Broeder, Burrell, Bush, Crum, Dykstra, Emmons, Goan, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Mathers, Murray, Nelstead, Nichols, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright. Total 45.

Noes: Aasheim, Abel, Anderson (Yellowstone), Bardanouve, Barnard, Bashor, Blewett, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Edwards, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Hazelbaker, Jenkins, Jensen (Lake), Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Moudree, Page, Picard, Raundal, Schwinden, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Teigen, Twedt, Wayrynen, Mr. Speaker. Total 48.

Absent or not voting: Mernin. Total 1.

Excused: None.

Committee of the Whole report adopted.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be not concurred in, but that

House Substitute for Senate Bill No. 78, introduced by the Committee on Judiciary: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the state administrator and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the state engineer and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by state administrator; authorizing state administrator to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the state administrator; providing for appeals; authorizing county attorneys to perform certain services; authorizing state administrator to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a saving clause; and providing for an effective date."

Be concurred in.

HAUGHEY, Chairman.

Motion was made by Haughey for adoption of the Committee report. Substitute motion was made by Cеровski that Senate Bill No. 78 be placed on General Orders. Motion carried.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Substitute for House Substitute for Senate Bill No. 102, respectfully report as follows: That Senate Substitute for House Substitute for Senate Bill No. 102 be concurred in.

PIERCE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be not concurred in.

KVAALEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Substitute Senate Bill No. 166, respectfully report as follows: That Substitute Senate Bill No. 166 be amended as follows:

By amending section 1 of Substitute Senate Bill 166 by adding in line 24, page 2 of the printed bill and line 13 of the original bill after the word "embraced" a "comma (,)" and the following words "whose names appear on the last completed assessment rolls for state and county taxes."

And further amend by striking out in line 48 of the printed bill and line 8 of the original bill; the words "two years" and inserting in lieu thereof the words and figure: "six (6) months"

And as amended, be concurred in.

NELSTEAD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 374, 453, and Substitute House Bills Nos. 228 and 373, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MESSAGES FROM THE SENATE

February 25, 1961

Mr. Speaker:

I am directed by the Senate to request the House return to the Senate for further consideration, House Bill No. 406.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Committee on State Administration recommended Substitute House Bill No.

400 be not concurred in but Senate Substitute for Substitute House Bill No. 400 be concurred in, report adopted, and Substitute House Bill No. 400 is returned to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 398 introduced by Schye and Swanz.

House Joint Memorial No. 8 introduced by Beam.

House Joint Memorial No. 12 introduced by Loman et al.

House Joint Resolution No. 10 introduced by Crum.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole, that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 229 introduced by Spahr et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on State Administration, report adopted, and the same is herewith returned to the House:

House Bill No. 368 introduced by Johnson et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return to the Senate House Bill No. 406. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve

itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 136 be concurred in.

That further consideration of Senate Joint Resolution No. 1 be indefinitely postponed.

That Senate Bill No. 96 be concurred in.

That Senate Bill No. 181 be concurred in.

That Senate Substitute for Senate Bill No. 12 be concurred in.

That Senate Amendments to House Bill No. 27 be concurred in.

That Senate Bill No. 14 be concurred in.

That Senate Bill No. 103 be amended in Section 3 in line 14 of page 2 of the printed bill, which is line 16, page 2 of the original bill, by inserting the following words after the word "testamentary" to-wit: "or special letters for the purpose of terminating joint tenancy."

Be further amended in Section 6 in line 4, page 3 of the printed bill, which is line 20 of page 3 of the original bill, by striking the word "dwelling" following the word "the" and inserting in lieu thereof the words "real property";

Be further amended in Section 8 in line 4 of page 4 of the printed bill, being line 10, page 4 of the original bill, by striking the words "transfer of real property" following the word "the" and inserting in lieu thereof the words: "total value of the real property so transferred." and as amended, that Senate Bill No. 103 be concurred in.

That Senate Bill No. 182 be amended in Section 1 by striking out in line 6 of the printed bill, which is line 24 of the original bill, the words "or negligently";

Be further amended in Section 2 by striking out in line 9 of the printed bill, which is line 16, page 2 of the original bill, after the word "livestock" the period and inserting in lieu thereof a comma and the words "nor to such parts of fenced highways adjacent to open range where no highway device has been installed to exclude range livestock therefrom." and as amended, that Senate Bill No. 182 be concurred in.

ROSELL, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried. House recessed.

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR AND SENATE

February 25, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 204—Introduced by Hilling, Beam, Pierce, Goan, Rosell, Crum, Haughey and Anderson (Yellowstone).

House Bill No. 146—Introduced by Dykstra, Haines and Loman.

House Bill No. 208—Introduced by Haines.

House Bill No. 179—Introduced by Kvaalen.

House Bill No. 292—Introduced by Dykstra, Loman and Haines.

House Bill No. 11—Introduced by Kvaalen.

House Bill No. 7—Introduced by Nichols.

Sincerely yours,

DONALD G. NUTTER,
Governor.

February 25, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives
Hon. Tim M. Babcock
President of the Senate

Sirs:

I am returning House Bill No. 403 without my approval for the following reason:

Section 2 of said House Bill No. 403 requires action retroactive to the 1st day of January, 1954, and is therefore illegal and unenforceable.

Sincerely yours,

DONALD G. NUTTER,
Governor.

The Speaker called for a roll call vote on the question whether or not the House would sustain the veto of the Governor on House Bill No. 403. The veto was sustained by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimat, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent or not voting: Bashor, Broeder, Cerovski, Daniels, Etchart, Healy, Laas, Mathers, Melcher, Mernin, Picard, Raundal, Schwinden. Total 13.

Excused: None.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and

history agreed to and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 205 introduced by Dussault, Hibbs.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Haughey moved that the House reconsider its action of this day in rejecting the Judiciary Committee report recommendation that Senate Bill No. 78 be not concurred in, but that House Substitute for Senate Bill No. 78 be concurred in, and the further action of the House at that time in transferring to General Orders the original Senate Bill No. 78. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be not concurred in, but that

House Substitute for Senate Bill No. 78, introduced by the Committee on Judiciary: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the state administrator and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the state engineer and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by state administrator; authorizing state administrator to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the state administrator; providing for appeals; authorizing county attorneys to perform certain services; authorizing state administrator to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a saving clause; and providing for an effective date."

Be concurred in.

HAUGHEY, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Bills:

House Substitute for Senate Bill No. 78, introduced by the Judiciary Committee: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the state administrator and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with

the state engineer and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by state administrator; authorizing state administrator to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the state administrator; providing for appeals; authorizing county attorneys to perform certain services; authorizing state administrator to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a savings clause; and providing for an effective date."

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that House Substitute for Senate Bill No. 78 having been printed in mimeographed form and distributed in the House, be considered correctly printed and laid upon the desks. Motion carried.

Motion was made by Anderson (Yellowstone) that the Senate having submitted to the House Senate Bill No. 205, the House suspend Joint Rule No. 22 for the purpose of receiving Senate Bill No. 205 from the Senate. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Appropriations:

Senate Bill No. 205, introduced by Dussault, Hibbs: A bill for an act entitled: "An act to amend section 93-303, Revised Codes of Montana, 1947, as amended by chapter 84, Session Laws of Montana, 1951, and as further amended by chapter 247, Session Laws of Montana, 1955, and as further amended by chapter 198, Session Laws of Montana 1959, setting the annual salary of district judges at ten thousand seven hundred dollars (\$10,700.00), and to amend chapter 202, Session Laws of Montana, 1959, designated as sections 25-501 and 25-501.1 in the 1959 cumulative pocket supplement of replacement volume 2, Revised Codes of Montana, 1947, relating to annual salaries of various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; defining the scope of salaries, but that such scope shall not limit certain longevity pay; and containing a repealing clause."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Substitute for Senate Bill No. 78 do pass.

That Senate Bill No. 105 be concurred in.

Report adopted.

ROSELL, Chairman.

Motion was made by Anderson (Yellowstone) that the House recess subject to the call of the Chair. Motion carried. House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration the question of the propriety of the consideration by the House of Senate Substitute for House Substitute for Senate Bill No. 102, which bill contains substantially the same subject matter as the original Senate Bill No. 102, previously rejected by the House, respectfully recommend as follows: That the House suspend Rule 36, subsection 3, for the purpose of considering Senate Substitute for House Substitute for Senate Bill No. 102.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

Anderson (Yellowstone) moved that the House Resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Substitute for House Substitute for Senate Bill No. 102 be concurred in.

That Substitute Senate Bill No. 166 be amended in the title in line 9 of the printed bill, which is line 11 of the original, by deleting the words "two years" and inserting in lieu thereof the words "one year";

Be amended further in section 1 by deleting the following words which begin on line 23 of the printed bill, and line 12, page 2 of the original bill: "mail to all resident freeholders of the territory proposed to be embraced and whose names appear on the last completed assessment rolls for state and county taxes";

Be amended further in section 1, in line 46 of the printed bill, which is line 6, page 3 of the original bill, by adding after the word "of" the following: "any portion of said territory or";

Be amended further by striking out in line 48 of the printed bill the words "six months", and inserting in lieu thereof "one year"; and as amended, be concurred in.

That Senate Amendments to Substitute House Bill No. 221 be concurred in.

ROSELL, Chairman.

Motion was made by Rosell for adoption of the committee report. Substitute motion was made by Goan that Substitute Senate Bill No. 166 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve

itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Rosell of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute Senate Bill No. 166 be amended in the title in line 9 of the printed bill, which is line 11 of the original bill, by deleting the words "two years" and inserting in lieu thereof the words "one year";

Be amended further in the title in line 12 of the original bill, which is line 10 of the printed bill, by inserting after the word "territory" and before the semicolon, the words "or any portion thereof";

Be amended in section 1 by deleting the following words which begin on line 23 of the printed bill, and on line 12, page 2 of the original bill: "mail to all resident freeholders of the territory proposed to be embraced and whose names appear on the last completed assessment rolls for state and county taxes,";

That Substitute Senate Bill No. 166 be further amended in section 1 in line 42, page 3 of the printed bill, which is line 1, page 3 of the original bill, by inserting after the semicolon the following words: "Provided, however, that land used for industrial or manufacturing purposes shall not be included in such city under the provisions of this section without the consent in writing of the owners of such land, and further";

Be amended further in section 1 in line 46 of the printed bill, which is line 6, page 3 of the original bill, by inserting after the word "territory" the following words "or any portion thereof";

Be amended further by striking out in line 48 of the printed bill the words "six months" and inserting in lieu thereof the words "one year", and as amended, be concurred in.

ROSELL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Substitute for Senate Bill No. 118.

REED, Chairman.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 79.

Noes: Barnard, Conklin, Daniels, Harper, Kolar, Lewis, Lombardi, Mernin, Moudree, Picard, Stimatz, Teigen. Total 12.

Absent or not voting: Abel, Bardanouve, Twedt. Total 3.

Excused: None.

Senate Bill No. 204 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Daniels, Lewis, Lombardi, Mernin, Stimatz. Total 5.

Absent or not voting: Picard. Total 1.

Excused: None.

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

Senate Bill No. 136 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Abel, Bradford, Conklin, Gustafson, Haines, Lucas, Page, Spahr, Twedt. Total 9.

Absent or not voting: None.

Excused: None.

Senate Substitute for House Substitute for Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hanks, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 75.

Noes: Bashor, Bentz, Broeder, Conklin, Daniels, Emmons, Gustafson, Hall, Harper, Hazelbaker, Hibbard, Lombardi, Mernin, Moudree, Picard, Stimatz. Total 16.

Absent or not voting: Rygg and Sullivan (Deer Lodge), Wright. Total 3.

Excused: None.

Senate Bill No. 96 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Barnard, Bradford, Conklin, Laas, Spahr. Total 5.

Absent or not voting: Aasheim, Bardanouve, Johnson. Total 3.

Excused: None.

Senate Bill No. 181 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Conklin, Harper, Lombardi, Mernin, Stimatz, Teigen. Total 6.

Absent or not voting: Abel. Total 1.

Excused: None.

Senate Substitute for Senate Bill No. 12 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Barnard, Cerovski, Daniels, Harper, Lombardi, Schwinden, Stimatz. Total 7.

Absent or not voting: None.

Excused: None.

Senate Bill No. 14 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 91.

Noes: Gustafson, Stearns. Total 2.

Absent or not voting: Wayrynen. Total 1.

Excused: None.

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Bradford, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Harper, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright. Total 77.

Noes: Adams, Blewett, Brenner, Conklin, Daniels, Dykstra, Edwards,

Hall, Hazelbaker, Hibbard, Lewis, Moudree, Murray, Seymour, Spilde, Thompson, Mr. Speaker. Total 17.

Absent or not voting: None.

Excused: None.

House Substitute for Senate Bill No. 118 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Madison), Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Dykstra, Emmons, Eskildsen, Gustafson, Hanks, Harper, Healy, Higham, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Mathers, McOmber, Melcher, Nelstead, Nichols, Page, Picard, Raundal, Reed, Schwinden, Seymour, Shelden, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 55.

Noes: Adams, Anderson (Yellowstone), Asbjornson, Beam, Bradford, Broeder, Crum, Daniels, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Hibbard, Hilling, Jenkins, Keller, Kolar, Lucas, Lundgren, Mernin, Moudree, Murray, Pierce, Regan, Reinecke, Rosell, Rygg, Schye, Smith, Spahr, Spilde, Stearns, Swanz, Weeks. Total 38.

Absent or not voting: Sullivan (Silver Bow). Total 1.

Excused: None.

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Dykstra, Emmons, Eskildsen, Goan, Gustafson, Haines, Hall, Hanks, Harper, Healy, Hibbard, Hilling, Jensen (Mineral), Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Shelden, Smith, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Wright. Total 63.

Noes: Adams, Anderson (Yellowstone), Bentz, Blewett, Bradford, Cerovski, Edwards, Etchart, Falkenstern, Haughey, Hazelbaker, Higham, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Loman, Lord, Lundgren, Rygg, Schye, Seymour, Spahr, Spilde, Stearns, Swanz, Weeks, Mr. Speaker. Total 30.

Absent or not voting: Daniels. Total 1.

Excused: None.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge),

Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Daniels. Total 1.

Excused: None.

House Substitute for Senate Bill No. 78 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Conklin, Hanks, Johnson, Murray, Rosell, Thompson. Total 6.

Absent or not voting: Daniels. Total 1.

Excused: None.

Senate Substitute for Senate Bill No. 166 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Melcher, Mernin, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Schye, Shelden, Smith, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 67.

Noes: Aasheim, Abel, Bardanouve, Blewett, Bradford, Brenner, Broeder, Cerovski, Conklin, Eskildsen, Harper, Hazelbaker, Jensen (Lake), McOmber, Moudree, Murray, Raundal, Rygg, Schwinden, Seymour, Spahr, Spilde, Stimatz, Stranahan, Twedt. Total 25.

Absent or not voting: Daniels, Goan. Total 2.

Excused: None.

February 25, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 206, 159, 320, 376, 239, 241, 264, 447, 236, 237, 238, 282, 297, 98, 97, 255, 446, 367, 448, 393, 181, 359, 117, House Joint Resolution Nos. 1, 8 and 5, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:40 o'clock, p. m., delivered to the governor for his approval.

REED, Chairman.

February 25, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 271, do hereby report that said bill, together with a copy

thereof, signed by the Speaker of the House and President of the Senate, was this day at the hour of 3:20 o'clock p. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 2:00 p. m., Sunday, February 26, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 26, 1961

House convened, pursuant to adjournment, at 2:00 p. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim and Melcher, excused for personal business, Haines and Page, excused for legislative business, and Abel, absent.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

ANDERSON (Yellowstone),
Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Memorial No. 15, Substitute House Bill No. 90, Senate Substitute for House Bill No. 165, House Bills Nos. 399 and 440.

REED, Chairman.

I have examined House Bill No. 440 introduced by me and find the same to be correct.

NICHOLS.

I have examined Substitute House Bill No. 90 introduced by me and find the same to be correct.

PAGE.

I have examined House Joint Memorial No. 15 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined Senate Substitute for House Bill No. 165 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 399 introduced by me and find the same to be correct.

CEROVSKI.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 399 and 440, Substitute House Bill No. 90, House Joint Memorial No. 15 and Senate Substitute for House Bill No. 165.

MESSAGES FROM THE GOVERNOR AND SENATE

February 25, 1961

Hon. Clyde L. Hawks, Speaker,
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 404—Introduced by Kvaalen and Reed.

House Bill No. 81—Introduced by Wayrynen and Abel.

House Bill No. 283—Introduced by Lundgren.

Substitute House Bill No. 61—Introduced by Committee on State Administration.

Substitute House Bill No. 82—Introduced by Committee on State Administration.

Substitute House Bill No. 295—Introduced by Committee on Ways and Means.

Very truly yours,

DONALD G. NUTTER,
Governor.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitutes for House Bills were this day read third time and passed, title and history agreed to and the same are herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 135 introduced by Judiciary Committee.

Senate Substitute for Substitute House Bill No. 134 introduced by Judiciary Committee.

Senate Substitute for House Bill No. 212 introduced by the Senate Committee on Oil and Gas.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 342 introduced by Beam et al.

House Bill No. 361 introduced by Daniels.

House Bill No. 186 introduced by Aasheim and Eskildsen.

House Bill No. 37 introduced by Anderson (Yellowstone) et al.

House Bill No. 36 introduced by Anderson (Yellowstone) et al.

Substitute House Bill No. 124 introduced by Highways Committee.

House Bill No. 182 introduced by Swanz et al.

House Bill No. 72 introduced by Leuthold.

Substitute House Bill No. 401 introduced by Highways Committee.

House Bill No. 363 introduced by Picard et al.

House Bill No. 118 introduced by Etchart et al.

House Bill No. 176 introduced by Eskildsen and Twedt.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate, by unanimous consent, temporarily suspended Joint Rule No. 22 for the purpose of transmitting Senate Bill No. 205 to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

Substitute House Bill No. 53 introduced by Committee on Judiciary.

House Bill No. 131 introduced by Mathers et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

Substitute House Bill No. 310 introduced by Committee on Judiciary.

House Bill No. 201 introduced by Hawks et al.

House Bill No. 96 introduced by Seymour and Bentz.

House Bill No. 95 introduced by Seymour and Bentz.

House Bill No. 242 introduced by Daniels.

House Bill No. 323 introduced by Broeder, by request.

Substitute House Bill No. 435 introduced by Committee on Public Health, Welfare and Safety.

House Bill No. 218 introduced by Schwinden and Bashor.

House Bill No. 142 introduced by Hibbard et al.

House Bill No. 442 introduced by Conklin et al.

House Bill No. 273 introduced by Picard et al.

House Bill No. 116 introduced by Schye et al.

House Bill No. 348 introduced by Haughey et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder, having voted on the prevailing side, that the House reconsider its previous action in not concurring in Senate Bill No. 7. Motion carried.

Motion was made by Anderson (Yellowstone) that Senate Bill No. 7 be placed on General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to the Appropriations Committee:

House Bill No. 456, introduced by Goan, Sullivan (Silver Bow), Thompson: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state institutions for the period beginning July 1, 1961 and ending June 30, 1963."

House Bill No. 457, introduced by Mathers, Nichols: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."

House Bill No. 458, introduced by Rygg, Hibbard, Regan: A bill for an act entitled: "An act to appropriate money for the operation of the University of Montana."

THIRD READING OF HOUSE BILLS

Motion was made by Anderson (Yellowstone) that the House pass for the day. House bills on the calendar for Third Reading. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hanks of Gallatin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 113 be concurred in.

That Senate Amendments to House Bill No. 250 be concurred in.

That Senate Amendments to House Bill No. 172 be concurred in.

That Senate Amendments to House Bill No. 249 be concurred in.

That Senate Amendments to House Bill No. 371 be concurred in.

That Senate Amendments to House Bill No. 410 be concurred in.

That consideration of Senate Amendments to House Joint Memorial No. 14 be passed for the day.

That Senate Substitute for House Bill No. 212 be concurred in.

That Senate Substitute for Substitute House Bill No. 134 be concurred in.

That Senate Substitute for House Bill No. 135 be concurred in.

That further consideration of Substitute House Bill No. 228 be indefinitely postponed.

That consideration of Substitute House Bill No. 373 be passed for the day.

That consideration of House Bill No. 374 be passed for the day.

That House Bill No. 453 do pass.

That Senate Amendments to House Bill No. 342 be concurred in.

HANKS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 26, 1961

Mr. Speaker:

I am directed by the Senate to request the House return to the Senate for further consideration House Joint Memorial No. 12.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 26, 1961

Mr. Speaker:

The Senate this day, on motion, referred House Substitute for Senate Bill No. 78 to the Joint Rules Committee of the House and Senate.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House accede to the request of the Senate and return to the Senate House Joint Memorial No. 12. Motion carried.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Monday, February 27, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 27, 1961

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-sixth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 453.

REED, Chairman.

February 26, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 394, 28, 106, 170, 177, 207, 215, 341, 358, 444, 130, 180, 193, 253, 319, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:25 p.m., delivered to the Governor for his approval.

REED, Chairman.

REPORTS OF CONFERENCE COMMITTEES

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee appointed to consider Senate Amendments to House Bill No. 32, respectfully report and recommend as follows:

That the Senate recede from all Senate amendments, and that House Bill No. 32 be amended as follows:

Amend on page 2, line 3 of the original bill, being page 2, line 17 of the printed bill, following the phrase "(matter deleted)", by striking the remainder of the paragraph, through the word "specifications." on line 10, being line 22 of the printed bill, and inserting in lieu thereof the following: "that all vehicles, except cars purchased for the Governor, including ambulances, suburbans, busses, station wagons, pickups and trucks, shall be purchased on the basis of standard specifications sufficiently limited in detail so as to fairly invite competitive bidding, and on the basis of the low bid, and providing that all such vehicles shall be of United States make."

And as so amended, be concurred in.

For the Senate:

BOVEY,
HARKEN,
ANDERSON.

For the House:

BENTZ,
BROEDER,
LEWIS.

Motion was made by Bentz to adopt the Conference Committee report.

The Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Reed, Regan, Reinicke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Barnard, Bashor, Beam, Gustafson, Page. Total 5.

Excused: None.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 12, House Bills Nos. 71, 99, 247, 248, 258, 266, 291, 383, 397 and Substitute House Bill No. 269.

REED, Chairman.

I have examined House Bill No. 397 introduced by me and find the same to be correct.

HAZELBAKER.

I have examined House Bill No. 383 introduced by me and find the same to be correct.

STIMATZ.

I have examined House Bill No. 291 introduced by me and find the same to be correct.

MELCHER.

I have examined House Bill No. 266, introduced by me and find the same to be correct.

HAWKS.

I have examined Substitute House Bill No. 269 introduced by me and find the same to be correct.

KOLAR.

I have examined House Bill No. 258 introduced by me and find the same to be correct.

HAZELBAKER.

I have examined House Bill No. 248 introduced by me and find the same to be correct.

SULLIVAN (Silver Bow).

I have examined House Bill No. 247 introduced by me and find the same to be correct.

RAUNDAL.

I have examined House Bill No. 71 introduced by me and find the same to be correct.

HALL.

I have examined House Bill No. 99 introduced by me and find the same to be correct.

SEYMOUR.

I have examined House Joint Resolution No. 12 introduced by me and find the same to be correct.

CEROVSKI.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 71, 99, 247, 248, 258, 266, 291, 383, 397, and Substitute House Bill No. 269, and House Joint Resolution No. 12.

MESSAGES FROM THE SENATE

February 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 168 introduced by Lucas et al.

House Bill No. 194 introduced by Teigen et al.

House Bill No. 231 introduced by Broeder et al.

House Bill No. 413 introduced by Anderson (Yellowstone).

House Bill No. 317 introduced by Jensen (Lake) et al.

House Bill No. 388 introduced by Anderson (Yellowstone).

House Bill No. 324 introduced by Edwards.

House Bill No. 38 introduced by Stearns et al.

House Bill No. 436 introduced by Barnard.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bills are herewith returned to the House:

House Bill No. 40 introduced by Anderson (Yellowstone) et al.

House Bill No. 88 introduced by Aasheim, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Spahr that the House reconsider the business of yesterday's Committee of the Whole during which the House indefinitely postponed further consideration of Substitute House Bill No. 228. Spahr requested a roll call vote and sufficient seconds rose. The motion failed to carry by the following vote:

Ayes: Aasheim, Abel, Barnard, Blewett, Bradford, Brenner, Bush, Cerovski, Conklin, Coulter, Emmons, Eskildsen, Hanks, Harper, Healy, Jensen (Lake), Laas, Lewis, Loman, Lombardi, Lundgren, McOmber,

Melcher, Mernin, Moudree, Raundal, Reed, Rygg, Schwinden, Shelden, Spahr, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt. Total 35.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Broeder, Burrell, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kvaalen, Leuthold, Lord, Lucas, Mathers, Nelstead, Nichols, Page, Picard, Pierce, Regan, Reinecke, Rosell, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 53.

Absent or not voting: Daniels, Gustafson, Jensen (Mineral), Kolar, Murray, Schye. Total 6.

Excused: None.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 67, 33, 125, 193, 81, 178, 130, 47, 55 and 113.

Motion was made by Adams that House Bill No. 454 be taken from the Committee on Bills and rereferred to the Committee on Appropriations. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 459, introduced by Mathers, Adams: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of the state water conservation board, the state planning board and the fish and game commission for the period beginning July 1, 1961 and ending June 30, 1963."

THIRD READING OF HOUSE BILLS

The following Senate Amendments to House Bills, having first been read, were disposed of in the following manner:

Senate Amendments to House Bill No. 27 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Esklidsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, McOmber, Melcher, Murray, Nelstead, Page, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Lombardi, Mernin, Stimatz. Total 3.

Absent or not voting: Burrell, Crum, Jensen (Mineral), Mathers, Moudree, Picard, Pierce. Total 7.

Excused: Nichols. Total 1.

Senate Amendments to Substitute House Bill No. 221 were concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Aasheim, Baldwin, Edwards, Mernin, Stimatz, Stranahan. Total 6.

Absent or not voting: Jensen (Mineral), Mathers. Total 2.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 113 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Broeder, Harper, Jensen (Lake), Murray, Rygg, Stimatz. Total 6.

Absent or not voting: Dykstra, Jensen (Mineral), Mathers. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 250 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Sheldon, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Coulter, Jensen (Mineral), Mathers. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 172 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Harper. Total 1.

Absent or not voting: Conklin, Jensen (Mineral), Mathers. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 249 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Haughey. Total 1.

Absent or not voting: Bardanouve, Barnard, Beam, Jensen (Mineral), Mathers, Picard. Total 6.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 371 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 88.

Noes: Bashor, Gustafson. Total 2.

Absent or not voting: Beam, Jensen (Mineral), Rygg. Total 3.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 410 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Jensen (Mineral). Total 1.

Excused: Nichols. Total 1.

Senate Substitute for House Bill No. 212 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: Raundal. Total 1.

Absent or not voting: Jenkins, Jensen (Mineral). Total 2.

Excused: Nichols. Total 1.

Senate Substitute for House Substitute Bill No. 134 was concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Conklin, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 76.

Noes: Aasheim, Bashor, Bradford, Brenner, Cerovski, Coulter, Hall, Harper, Lewis, Lombardi, Mernin, Picard, Raundal, Spilde, Stimatz, Stranahan. Total 16.

Absent or not voting: Daniels. Total 1.

Excused: Nichols. Total 1.

Senate Substitute for House Bill No. 135 was concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 75.

Noes: Aasheim, Abel, Bashor, Bradford, Cerovski, Hall, Harper, Lewis, Lombardi, Mernin, Picard, Raundal, Spilde, Stearns, Stimatz, Stranahan, Twedt. Total 17.

Absent or not voting: Jensen (Lake). Total 1.

Excused: Nichols. Total 1.

Senate Amendments to House Bill No. 342 were concurred in by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Baldwin, Beam, Bentz, Blewett, Bradford, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Emmons, Etchart, Falkenstern, Haines, Hall, Hanks, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Laas, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, Mernin, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 63.

Noes: Aasheim, Abel, Asbjornson, Bardanouve, Brenner, Conklin, Coulter, Daniels, Edwards, Eskildsen, Goan, Gustafson, Harper, Haughey, Kolar, Kvaalen, Leuthold, McOmber, Melcher, Moudree, Raundal, Schwinden, Shelden, Stranahan, Thompson, Wright. Total 26.

Absent or not voting: Adams, Barnard, Bashor, Hazelbaker. Total 4.

Excused: Nichols. Total 1.

House Bill No. 453, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Abel, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Burrell, Bush, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Haines, Hall, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Laas, Leuthold, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 63.

Noes: Aasheim, Bardanouve, Bashor, Bradford, Brenner, Broeder, Cerovski, Conklin, Coulter, Eskildsen, Gustafson, Hanks, Harper, Haughey, Kvaalen, Lewis, Lord, Moudree, Picard, Raundal, Schwinden, Spahr, Stranahan, Wright. Total 24.

Absent or not voting: Adams, Barnard, Blewett, Daniels, Hazelbaker, Judge. Total 6.

Excused: Nichols. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Blewett of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Joint Memorial No. 14 be concurred in.

That Substitute House Bill No. 373 be amended in section 4 in line 2, page 3 of the printed bill, and in lines 21 and 22, page 2 of the original bill by striking the word and figures "50% limitation" and inserting the word "limitations"; and striking in the same lines the word "section" and inserting in lieu thereof the word and figures "sections 75-3618 and";

And as amended, do pass.

That House Bill No. 374 do pass.

BLEWETT, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 460, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the payment of insurance premiums for insurance on state property out of certain funds designated herein for the period beginning July 1, 1961 and ending June 30, 1963."

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 455, respectfully report as follows:

That House Bill No. 455 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 205, respectfully report as follows: That Senate Bill No. 205 be concurred in.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Memorial No. 18.

REED, Chairman.

I have examined House Joint Memorial No. 18 introduced by me and find the same to be correct.

NELSTEAD.

The Speaker signed House Joint Memorial No. 18 in open session, the title having first been read.

MESSAGES FROM THE SENATE

February 27, 1961

Mr. Speaker:

I am herewith returning to the House—House Substitute for Senate Bill No. 118 introduced by Committee on Education for a correction in the letter of transmittal to the Senate.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Substitute Senate Bill No. 84; requested the President to appoint a Conference Committee of three and request that a like House Committee be appointed by the Speaker of the House to confer on Substitute Senate Bill No. 84. The following Conference Committee from the Senate has been appointed:

McKENNA (Fergus), Chairman.
HAUK,
BRENNER.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on House Amendments to Substitute Senate Bill No. 84. Motion carried.

Motion was made by Anderson (Yellowstone) that the Chief Clerk return House Substitute for Senate Bill No. 118 to the Senate with the proper corrected letter of transmittal. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders. under the rules of the previous sitting. Motion carried.

Blewett of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 361 be concurred in.

That Senate Amendments to House Bill No. 186 be concurred in.

That Senate Amendments to House Bill No. 36 be concurred in.

That Senate Amendments to House Bill No. 37 be not concurred in, but that a conference committee of three members be appointed, and a like committee requested of the Senate.

That Senate Amendments to Substitute House Bill No. 124 be concurred in.

That Senate Amendments to House Bill No. 182 be concurred in.

That Senate Amendments to House Bill No. 72 be concurred in.

That Senate Amendments to Substitute House Bill No. 401 be concurred in.

That Senate Amendments to House Bill No. 363 be concurred in.

That Senate Amendments to House Bill No. 118 be concurred in.

That Senate Amendments to House Bill No. 176 be concurred in.

That Senate Bill No. 7 be concurred in.

That Senate Amendments to House Bill No. 201 be concurred in.

That Senate Amendments to Substitute House Bill No. 310 be concurred in.

That Senate Amendments to House Bill No. 96 be concurred in.

That Senate Amendments to House Bill No. 95 be not concurred in, but that a conference committee of three members be appointed, and a like committee requested of the Senate.

That Senate Amendments to House Bill No. 242 be concurred in.

That Senate Amendments to House Bill No. 323 be concurred in.

That Senate Amendments to Substitute House Bill No. 435 be concurred in.

That Senate Amendments to House Bill No. 218 be concurred in.

That Senate Amendments to House Bill No. 142 be concurred in.

That Senate Amendments to House Bill No. 442 be concurred in.

That Senate Amendments to House Bill No. 273 be concurred in.

That Senate Amendments to House Bill No. 116 be not concurred in, but that a conference committee of three members be appointed, and a like committee requested of the Senate.

That Senate Amendments to House Bill No. 348 be concurred in.

That Senate Bill No. 205 be concurred in.

BLEWETT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House suspend Joint Rule No. 22 for the purpose of transmitting House Substitute for Senate Bill No. 118 back to the Senate. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 37. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 95. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 116. Motion carried.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: Substitute House Bill No. 373 and House Bill No. 374.

REED, Chairman.

INTRODUCTION OF BILLS

The following bills were introduced. read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 461, introduced by Hazelbaker, Barnard, Asbjornson: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."

House Bill No. 462, introduced by Dykstra, Anderson (Yellowstone), Nichols: A bill for an act entitled: "An act to provide for the transfer of interest earned on monies deposited in the war veterans compensation bond retirement fund, the war veterans compensation bond retirement fund No. 2 and the veterans honorarium interest and sinking fund to the general fund of the State of Montana; and providing an effective date."

House Bill No. 463, introduced by Nichols: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain regulatory boards and commissions for the period beginning July 1, 1961 and ending June 30, 1963."

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments:

To confer on Senate Amendments to House Bill No. 37: Hazelbaker, Hilling, Schwinden.

To confer on Senate Amendments to House Bill No. 95: Schye, Pierce, McOmber.

To confer on Senate Amendments to House Bill No. 116: Goan, Loman, Spahr.

To confer on House Amendments to Substitute Senate Bill No. 84: Kolar, Kvaalen, Spahr.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Tuesday, February 28, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 28, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 459, respectfully report as follows: That House Bill No. 459 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 460, respectfully report as follows: That House Bill No. 460 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 461, respectfully report as follows: That House Bill No. 461, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 456, respectfully report as follows: That House Bill No. 456, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Appropriations, having had under consideration House Bill No. 462, respectfully report as follows: That House Bill No. 462 do pass.

NICHOLS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 27, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 180—Introduced by Hilling, Beam, Pierce, et al.

Sincerely,

DONALD G. NUTTER,
Governor.

February 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 137, Substitute Senate Bill No. 166, Senate Bill No. 182, Senate Bill No. 96 and Senate Bill No. 181, requested the President to appoint a Conference Com-

mittee of three for each and requested that a like House committee be appointed by the Speaker of the House to confer on the House amendments.

The following conference committees from the Senate were appointed:

Senate Bill No. 137—Harken, Chairman; Brownfield, McKeon.

Senate Bill No. 182—Michels, Chairman; Thomas, Keller.

Sub. Senate Bill No. 166—Dussault, Chairman; LaCombe, Mackay.

Senate Bill No. 96—Durkee, Chairman; Hibbs, Groff.

Senate Bill No. 181—Goodwin, Chairman; Lehrkind, McKeon.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 102, introduced by Haines.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call vote, adopted the joint conference committee report on House Bill No. 32.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was segregated from the Committee of the Whole and tabled, report adopted, and the bill is herewith returned to the House:

House Bill No. 406, introduced by Schye, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 79, 173, 171, 174, 48, 114, 57, 185, 155, 201, 109, 133, and Senate Joint Memorials Nos. 1, 2 and 4.

MOTIONS AND RESOLUTIONS

Motion was made by Nichols that House Bill No. 462 be taken from the Committee on Bills and re-referred to the Appropriations Committee. Motion carried.

Motion was made by Blewett, having voted on the prevailing side, that the House reconsider its previous action on Third Reading on Senate Substitute for Substitute House Bill No. 134. Motion carried.

Motion was made by Blewett that Senate Substitute for Substitute House Bill No. 134 be re-referred to General Orders. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 7 requiring a two-thirds vote for passage, Anderson (Yellowstone) requested a call of the House. There being sufficient seconds the Speaker ordered a call of the House. After roll call and progress being reported, Anderson (Yellowstone) moved the call of the House be dispensed with. Motion carried.

Senate Bill No. 7 was not concurred in by the following vote:

Ayes: Abel, Anderson (Yellowstone), Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Etchart, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Laas, Lewis, Loman, Lombardi, McOmber, Melcher, Mernin, Moudree, Murray, Nichols, Picard, Pierce, Regan, Schwinden, Schye, Shelden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 57.

Noes: Aasheim, Adams, Anderson (Madison), Asbjornson, Bentz, Burrell, Bush, Crum, Dykstra, Edwards, Falkenstern, Goan, Gustafson, Haines, Hall, Hibbard, Johnson, Kolar, Kvaalen, Leuthold, Lord, Lucas, Lundgren, Mathers, Nelstead, Page, Raundal, Reed, Reinecke, Rosell, Rygg, Seymour, Smith, Spilde, Stranahan, Swanz, Thompson. Total 37.

Absent or not voting: None.

Excused: None.

Senate Bill No. 205 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Melcher, Mernin, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Schwinden, Schye, Seymour, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 71.

Noes: Anderson (Madison), Bashor, Burrell, Coulter, Gustafson, Haines, Hall, Harper, Keller, Lucas, Moudree, Nichols, Raundal, Reinecke, Rosell, Rygg, Smith, Spilde, Stearns, Swanz, Teigen. Total 21.

Absent or not voting: None.

Excused: Mathers, McOmber. Total 2.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, at length, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 373 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rylgg, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 59.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Jensen (Mineral), Kolar, Laas, Lewis, Lombardi, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 33.

Absent or not voting: None.

Excused: Mathers, McOmber. Total 2.

House Bill No. 374 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Cerovski, Conklin, Daniels, Emmons, Sullivan (Deer Lodge). Total 5.

Absent or not voting: None.

Excused: Mathers, McOmber. Total 2.

The following Senate amendments, having been read, were disposed of in the following manner:

Senate amendments to House Joint Memorial No. 14 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Haines, Laas. Total 2.

Excused: Mathers, McOmber. Total 2.

Senate amendments to House Bill No. 361 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Haughey, Laas. Total 2.

Excused: Mathers, McOmber. Total 2.

Senate amendments to House Bill No. 186 were concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Aasheim, Abel, Eskildsen, Hanks, Jensen (Mineral), Kolar, Twedt. Total 7.

Absent or not voting: Kvaalen. Total 1.

Excused: Mathers, McOmber. Total 2.

Senate amendments to House Bill No. 36 were concurred in by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Conklin, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Aasheim, Abel, Bush, Cerovski, Coulter, Eskildsen, Haines, Harper, Lucas, Moudree, Page, Reed, Shelden, Twedt. Total 14.

Absent or not voting: Kvaalen, Laas. Total 2.

Excused: None.

Senate amendments to House Bill No. 124 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Bentz, Edwards, Gustafson, Murray, Reinecke, Smith, Spilde. Total 7.

Absent or not voting: None.

Excused: None.

Senate amendments to House Bill No. 182 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Haines, Laas. Total 2.

Excused: Nichols. Total 1.

Senate amendments to House Bill No. 72 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Crum, Hibbard, Laas, Loman. Total 4.

Excused: Nichols. Total 1.

Senate amendments to Substitute House Bill No. 401 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 85.

Noes: Bardanouve, Cerovski, Gustafson, Hanks, Harper, Moudree, Wright. Total 7.

Absent or not voting: Laas. Total 1.

Excused: Nichols. Total 1.

Senate amendments to House Bill No. 363 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Bentz, Conklin, Eskildsen, Harper, Haughey, Mernin, Schwinden, Shelden, Spahr, Stimatz, Teigen. Total 11.

Absent or not voting: Crum. Total 1.

Excused: None.

Senate amendments to House Bill No. 118 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Murray, Nelstead, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Bardanouve, Barnard, Harper, Moudree, Raundal, Shelden. Total 6.

Absent or not voting: Anderson (Madson), Kvaalen, Page. Total 3.

Excused: Nichols. Total 1.

Senate amendments to House Bill No. 176 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Hearly, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 84.

Noes: Haughey, Kolar, Kvaalen, Lucas, Page, Reed, Wayrynen. Total 7.

Absent or not voting: Hazelbaker. Total 1.

Excused: Mathers, Goan. Total 2.

Senate amendments to House Bill No. 201 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Mathers, Goan. Total 2.

Senate amendments to Substitute House Bill No. 310 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Lake), Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lord, Lundgren, McOmber, Melcher, Moudree, Nelstead, Nichols, Picard, Pierce, Raundal, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Bush, Conklin, Haines, Hilling, Jensen (Mineral), Johnson, Kvaalen, Lombardi, Lucas, Mernin, Murray, Page, Reed, Thompson. Total 14.

Absent or not voting: None.

Excused: Goan, Mathers. Total 2.

Senate amendments to House Bill No. 96 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Gustafson, Rygg, Spilde. Total 3.

Absent or not voting: None.

Excused: Mathers, Nichols. Total 2.

Senate amendments to House Bill No. 242 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bradford, Brenner, Broeder, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Harper, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Picard, Pierce, Reed, Regan, Rygg, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wright, Mr. Speaker. Total 70.

Noes: Bashor, Bentz, Blewett, Burrell, Edwards, Gustafson, Hanks, Haughey, Hilling, Johnson, Keller, Kolar, Kvaalen, Nichols, Raundal, Reinecke, Rosell, Schwinden, Smith, Stranahan, Weeks. Total 21.

Absent or not voting: Mernin, Wayrynen. Total 2.

Excused: Mathers. Total 1.

Senate amendments to House Bill No. 323 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 89.

Noes: Haughey, Kolar, Murray. Total 3.

Absent or not voting: Mernin. Total 1.

Excused: Mathers. Total 1.

Senate amendments to Substitute House Bill No. 435 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Bradford, Brenner, Burrell, Bush, Cerovski, Coulter, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Laas, Leuthold, Loman, Lombardi, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Mr. Speaker. Total 71.

Noes: Abel, Blewett, Conklin, Emmons, Eskildsen, Gustafson, Harper, Haughey, Jensen (Lake), Kolar, Kvaalen, Lewis, Lord, Rygg, Schye, Smith, Stranahan, Twedt, Wright. Total 19.

Absent or not voting: Broeder, Daniels. Total 2.

Excused: Mathers, Nichols. Total 2.

Senate amendments to House Bill No. 218 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Etchart, Hazelbaker. Total 2.

Excused: Mathers, Nichols. Total 2.

Senate amendments to House Bill No. 142 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: Bashor, Melcher. Total 2.

Absent or not voting: Etchart, Hazelbaker, Mernin. Total 3.

Excused: Mathers, Nichols. Total 2.

Senate amendments to House Bill No. 442 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Broeder, Bush, Conklin, Crum, Daniels, Dykstra, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Laas, Leuthold, Lewis, Lord, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Pierce, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Sullivan (Silver Bow), Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Adams, Anderson (Yellowstone), Blewett, Bradford, Brenner, Burrell, Cerovski, Coulter, Edwards, Emmons, Hanks, Harper, Haughey, Healy, Jensen (Mineral), Judge, Kvaalen, Lombardi, Lucas, Mernin, Moudree, Nichols, Page, Picard, Raundal, Rygg, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen. Total 33.

Absent or not voting: Bashor, Hazelbaker, Loman. Total 3.

Excused: None.

Senate amendments to House Bill No. 273 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 86.

Noes: Haughey, Kvaalen. Total 2.

Absent or not voting: Abel, Bush, Hazelbaker, Loman, Rygg, Schye. Total 6.

Excused: None.

Senate amendments to House Bill No. 348 were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Hazelbaker, Loman. Total 2.

Excused: Goan. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone), that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Stranahan of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Substitute for Substitute House Bill No. 134 be not concurred in and that Senate Substitute for Substitute House Bill No. 134 be referred to a conference committee.

STRANAHAN, Chairman.

Report adopted.

CONFERENCE COMMITTEE REPORT

To the President of the Senate
Speaker of the House

We, your Joint Conference Committee appointed to consider Senate Amendments to Substitute House Bill No. 257, respectfully report as follows:

That further consideration of Substitute House Bill No. 257 be indefinitely postponed.

For the Senate: CUMMING,
MAHONEY,
ULLOM.

For the House: BROEDER,
REGAN,
BLEWETT.

The conference committee report was adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Blewett, Burrell, Bush, Cerovski, Conklin, Crum, Edwards, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kolar, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Mernin, Murray, Nelstead, Nichols, Regan, Reinecke, Rygg, Seymour, Smith, Spahr, Spilde, Stimat, Swanz, Wright, Mr. Speaker. Total 49.

Noes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bentz, Bradford, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Harper, Haughey, Healy, Hilling, Judge, Kvaalen, Laas, Lewis, Melcher, Moudree, Page, Picard, Pierce, Raundal, Reed, Rosell, Schwinden, Schye, Shelden, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Thompson, Twedt, Wayrynen, Weeks. Total 39.

Absent or not voting: Brenner, Broeder, Gustafson, Hazelbaker, Hibbard, Stearns. Total 6.

Excused: None.

McOmber questioned whether the conference committee could recommend indefinitely postponing a bill when it was the amendments they had under consideration. Schwinden moved that the conference committee report on Substitute House Bill No. 257 be referred to Rules Committee. Motion carried.

Anderson (Yellowstone) moved that the House reconsider action taken on conference committee report. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 454, 456 and 455, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MESSAGES FROM THE SENATE

February 28, 1961

Mr. Speaker:

The Senate this day adopted the Joint Conference Committee report to indefinitely postpone further consideration of Substitute House Bill No. 257.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Joint Memorial No. 12 introduced by Loman, et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to the Appropriations Committee:

House Bill No. 464, introduced by Bardanouve: A bill for an act entitled: "An act to appropriate money to the state prison for the completion of Roethe Hall and erection of a security fence."

House Bill No. 465, introduced by Haines, Bardanouve, McOmber: An act to appropriate by means of the issuance and sale by the state board of examiners of bonds in addition to bonds already authorized to be issued and sold for the purposes of repairing of furniture in the house and senate chambers, and lobbies and halls adjacent thereto; repairing and remodeling of six (6) committee rooms of the house of representatives of the state of Montana; and repairing and painting of the offices of the Montana railroad and public service commission in the state capitol building; designating the monies from which said bonds should be paid; enumerating the powers and duties of the state board of examiners in carrying out the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committees:

To confer on House amendments to Senate Bill No. 96: Adams, Jenkins and Bardanouve.

To confer on House amendments to Senate Bill No. 181: Murray, Blewett and Bush.

To confer on House amendments to Senate Bill No. 182: Stearns, Broeder and Gustafson.

To confer on House amendments to Senate Bill No. 137: Haughey, Dykstra and Bush.

To confer on House amendments to Senate Bill No. 166: Goan, Keller and Sullivan (Silver Bow).

Motion was made by Anderson (Yellowstone) that the House recess until 2:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had referred to it a point of order concerning the propriety of the Conference Committee report on Senate Amendments to Substitute House Bill No. 257, report as follows: That the point of order is well taken, that under Joint Rule 17 the only matter before the Conference Committee for consideration was the Senate amendments to Substitute House Bill No. 257 and that, therefore, the Committee cannot act on the entire bill itself; and that further, the Conference Committee Report was incorrect in form in that it did not conform with Rule 15 of the House requiring a statement sufficiently explicit to inform the House of the reasons for the recommendations.

For the above reasons the Committee recommends that the report be returned to the Conference Committee for correction.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do not pass.

NICHOLS, Chairman.

Motion was made by Nichols for adoption of the report. Substitute motion was made by Eskildsen that House Bill No. 209 be printed and placed on General Orders. Substitute motion failed to carry. Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do not pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had un-

der consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 be amended as follows:

In section 3 of Page 2 of the original bill by striking lines 13 through 23 in their entirety and inserting in lieu thereof the following:

"As much thereof as may be necessary to pay all lawful claims, as provided by law."

And be further amended in Section 4 of Page 3 of the original bill by striking lines 12 through 22 in their entirety and inserting in lieu thereof the following:

"As much thereof as may be necessary to pay all lawful claims, as provided by law."

And as amended, do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 458, respectfully report as follows: That House Bill No. 458 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 458, beg leave to report that the same has this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following conference committee to confer with a like committee from the Senate on Senate Substitute for Substitute House Bill No. 134: Murray, Schye, Laas.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 38, 131, 140, 231, 324, 388, 436 and Substitute House Bill No. 53.

REED, Chairman.

I have examined Substitute House Bill No. 53 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

STEARNS.

I have examined House Bill No. 131 introduced by me and find the same to be correct.

MATHERS.

I have examined House Bill No. 140 introduced by me and find the same to be correct.

BLEWETT.

I have examined House Bill No. 231 introduced by me and find the same to be correct.

BROEDER.

I have examined House Bill No. 324 introduced by me and find the same to be correct.

EDWARDS.

I have examined House Bill No. 388 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

I have examined House Bill No. 436 introduced by me and find the same to be correct.

BARNARD.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 38, 131, 140, 231, 324, 388, 436 and Substitute House Bill No. 38.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 32, 168, 194, 371, 410, 413 and Substitute House Bill No. 221.

REED, Chairman.

I have examined House Bill No. 32 introduced by me and find the same to be correct.

BENTZ.

I have examined House Bill No. 168 introduced by me and find the same to be correct.

LUCAS.

I have examined House Bill No. 194 introduced by me and find the same to be correct.

TEIGEN.

I have examined Substitute House Bill No. 221 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 371 introduced by me and find the same to be correct.

BLEWETT.

I have examined House Bill No. 410 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 413 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

The Speaker signed the following bills in open session, the title having first been read: House Bills Nos. 32, 168, 194, 371, 410, 413 and Substitute House Bill No. 221.

MESSAGES FROM THE GOVERNOR AND SENATE

February 28, 1961

Hon. Clyde L. Hawks, Speaker
House of Representatives

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 207—Introduced by Nichols and Bardanouve.

House Bill No. 170—Introduced by Spahr.

House Bill No. 106—Introduced by Daniels, Sullivan (Silver Bow), Healy et al.

House Bill No. 319—Introduced by Blewett, Anderson (Yellowstone), and Conklin.

House Bill No. 253—Introduced by Bradford, Anderson (Yellowstone), Blewett and Stimatz.

House Bill No. 117—Introduced by Beam.

Substitute House Bill No. 359—Introduced by Committee on State Administration.

House Joint Resolution No. 1—Introduced by Schwinden, Bardanouve and Raundal.

House Joint Resolution No. 8—Introduced by Haughey, Pierce, Hilling, Schwinden et al.

House Bill No. 5—Introduced by McOmber, Spahr, Blewett and Broeder.

Sincerely,

DONALD G. NUTTER,
Governor.

February 28, 1961

Mr. Speaker:

The Senate this day, on motion, reconsidered its action in referring House Substitute for Senate Bill No. 78 to the Joint Rules Committee and, on motion, referred House Substitute for Senate Bill No. 78 to the Senate Rules Committee.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 3

Introduced by Bardanouve

A Resolution of the House of Representatives of the State of Montana, requesting the state board of education, ex officio board of regents, to refuse to officially recognize any student social fraternity or sorority at any unit of the University of Montana that is governed by a charter that denies membership because of a person's race, color or creed.

WHEREAS, many fraternities and sororities at units of the university of Montana with national affiliations are presently governed by charters that deny membership to persons of certain races, colors and creeds; and

WHEREAS, it is desirable in American society that a person be judged by his individual merit and not on the basis of his race, color or creed; and

WHEREAS, a person who is given the equal opportunity to develop his skills in the classrooms also should have the equal opportunity to acquire social friendships without the handicap of discrimination; and

WHEREAS, some universities and colleges in the United States have refused to recognize fraternities or sororities which foster such discrimination, and it is desirable that similar action be taken in Montana,

Now, Therefore, Be It Resolved by the House of Representatives of the State of Montana:

That the state board of education, ex officio board of regents, be requested to refuse to officially recognize any fraternity or sorority at any unit of the university of Montana that is governed by a charter that denies membership based upon a person's race, color or creed.

BE IT FURTHER RESOLVED, that the board of education provide a three year grace period after notice to the fraternities and sororities to allow them to conform to such ruling.

BE IT FURTHER RESOLVED, that copies of this resolution be sent by the secretary of state of Montana to each member of the state board of education and to the executive secretary of the university of Montana.

Motion was made by Bardanouve for adoption of the Resolution. Substitute motion was made by Anderson (Yellowstone) that consideration of House Resolution No. 3 be passed for the day so that mimeographed copies can be placed on the desks. Substitute motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 4

Introduced by Committee on Appropriations

A Resolution of the House of Representatives of the State of Montana to the Montana liquor control board and the state liquor administrator requesting disciplinary action be taken in regard to state liquor store personnel, for selling liquor to any person not legally possessing a current valid individual liquor permit issued by said board pursuant to the Montana liquor control act.

WHEREAS, only persons who are owner and holders of a current valid permit issued by the Montana Liquor Control Board pursuant to the Montana Liquor Control Act, Title 4, Chapter 1, Revised Codes of Montana, 1945, may lawfully purchase from any state liquor store any liquor; and

WHEREAS, it appears that state liquor store personnel do not uniformly require exhibition by liquor store patrons of such individual permits,

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the state of Montana, that the Montana liquor control board and the state liquor administrator are hereby urged to take disciplinary action in regard to state liquor store personnel selling liquor to any person who is not the legal holder of a current valid individual liquor permit issued by said board pursuant to the Montana liquor control act. Such disciplinary action shall consist of temporary suspension for a period not exceeding seven (7) days, of the offender's employment.

AND BE IT FURTHER RESOLVED that the Montana liquor control board and the state liquor control administrator are urged to take such further action and proceedings, including the adoption, promulgation and supervision of appropriate regulations as may be expedient and proper for the effectuation of the purposes of the resolution.

Motion was made by Haines for adoption of the Resolution. Motion carried, Resolution adopted.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting.

Substitute motion was made by Daniels that the House resolve itself into a Committee of the Whole, without the five-minute debate limitation applying. Substitute motion carried.

Stranahan of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 455 do pass.

That House Bill No. 456 do pass.

That consideration of Senate Amendments to House Joint Memorial No. 12 be passed for the day.

That House Bill No. 458 do pass.

That House Bill No. 454 be amended as follows:

In Section 3 by deleting all of lines 14 through 19 on page 6 of the original bill, being lines 128 through 133 of page 6 of the printed bill, and inserting in lieu thereof the following:

"FROM THE GENERAL FUND

Salary of Department head, five thousand three hundred dollars.....	\$5,300.00
Operation, three thousand nine hundred eleven dollars.....	\$3,911.00
Capital, four thousand six hundred sixty six dollars.....	\$4,666.00

FROM THE LAW LIBRARY FUND

Capital, four thousand one hundred forty four dollars.....	\$4,144.00"
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Be amended further in Section 3 by deleting lines 10 and 11 of page 3 of the original bill, being lines 35 and 36 of page 3 of the printed bill;

Be amended further in Section 4 by deleting all of lines 2 through 10 on page 12 of the original bill, being lines 137 through 144 of page 12 of the printed bill and inserting in lieu thereof the following:

"FROM THE GENERAL FUND

Salary of department head, five thousand three hundred dollars.....	\$5,300.00
Operation, three thousand one hundred ninety dollars.....	\$3,190.00

FROM THE LAW LIBRARY FUND

Operations, seven hundred forty dollars.....	\$ 740.00
Capital, eight thousand eight hundred ten dollars.....	\$8,810.00"

Be further amended in Section 4 by deleting lines 26 and 27 of page 8 of the original bill, being lines 47 and 48 of page 8 of the printed bill; and as amended, that House Bill No. 454 do pass.

STRANAHAN, Chairman.

Motion was made by Stranahan for adoption of the Committee report. Substitute motion was made by Abel that House Bill No. 458 be segregated from the Committee of the Whole report. Abel requested a Call of the House with the roll call vote results recorded in the Journal. There being sufficient seconds the Speaker ordered a Call of the House. After roll call, progress having been reported, Abel moved the Call of the House be dispensed with. Motion carried. Substitute motion to segregate House Bill No. 458 failed by the following vote:

Ayes: Aasheim, Abel, Barnard, Bashor, Bradford, Brenner, Cerovski, Conklin, Daniels, Emmons, Eskildsen, Hanks, Healy, Jensen (Mineral), Judge, Kolar, Laas, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree,

Picard, Raundal, Reed, Schwinden, Shelden, Spahr, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt. Total 34.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Burrell, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Loman, Lord, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 52.

Absent or not voting: Bardanouve, Broeder, Bush, Coulter, Harper, Lucas, Sullivan (Silver Bow), Wayrynen. Total 8.

Excused: None.

Committee report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 do not pass, but that

Substitute House Bill No. 457, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963."

Do pass.

NICHOLS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 28, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Conference Committees to confer on Senate Amendments to House Bills:

House Bill No. 37—Durkee, Chairman.

Mackay
Cumming

House Bill No. 116—Bovey, Chairman.

Hibbs
Cumming

House Bill No. 95—Manning, Chairman.

Hauk
Cole

Senate Amendments to Senate

Substitute for Substitute

House Bill No. 134—Harken, Chairman.

Dussault
McDonnell

Respectfully.

ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

President named Senator Reardon to replace Senator Goodwin on the Conference Committee on House Amendments to Senate Bill No. 181.

Respectfully.

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, titles and history agreed to, and were disposed of in the following manner:

Substitute House Bill No. 457, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation and maintenance of certain state agencies for the period beginning July 1, 1961 and ending June 30, 1963." Referred to Committee on Bills.

House Bill No. 466, introduced by Rygg, Broeder: A bill for an act entitled: "An act to appropriate money for participation by the university of Montana in the national defense student loan program." Referred to Committee on Appropriations.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 459, 460, 461 and 463, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

MOTIONS AND RESOLUTIONS

The following resolution was introduced and on motion of Anderson (Yellowstone) consideration was passed for the day:

HOUSE RESOLUTION NO. 5

Introduced by Kvaalen, Leuthold, Reed, Seymour, Regan, Gustafson, Lundgren, Higham, Wright, Rosell, Kolar, Anderson (Yellowstone), Hawks, Cerovski, Spahr, Haughey.

A Resolution of the House of Representatives of the State of Montana requesting the governor to appoint a committee to recommend improvements in the school foundation program to the 38th Legislative Assembly.

WHEREAS, the State of Montana has an obligation to contribute financial support to the various school districts in order to alleviate the burden on property taxes; and

WHEREAS, this financial support should be distributed to the districts by means of an equalization formula; and

WHEREAS, although the current foundation program is basically sound, it has weaknesses which cause inequity and misunderstanding; and

WHEREAS, the current program is so complex in its structure and operation that the average person has extreme difficulty in understanding its theory or application; and

WHEREAS, factors which create or tend to create inequities in the foundation program, either of themselves or by inter-relation with other factors include the following:

- (1) Inequality of valuation and assessment of property among the various counties;
- (2) The granting of budgeting authority to school districts as a concomitant of increases in foundation program schedules;

- (3) The failure of the state to provide sufficient money to meet its full share of the foundation program, resulting in the imposition of "state deficiency" levies;
- (4) The absence of appropriate provisions which would permit adjustment for anticipated enrollment changes in determining entitlement under the program;
- (5) The 50% limitation on state participation in the foundation program, which, as the program now operates, deprives many school districts of the benefit which should result from a state equalization level of 100%;
- (6) Schedules in the foundation program which do not fairly take into account the relative costs of education in schools in various enrollment categories,

NOW, THEREFORE, Be It Resolved by the House of Representatives of the State of Montana:

That the House of Representatives request the Governor to appoint a committee, representative of groups and individuals interested in and concerned with elementary and secondary education, to make a thorough study of the foundation program, to develop a plan for the simplification of the program and the elimination of inequities therein, and to prepare and submit to the 38th Legislative Assembly proposals for corrective legislation.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Tuesday, March 1, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.

FIFTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 1, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-eighth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 455, 456, 458.

REED, Chairman.

CONFERENCE COMMITTEE REPORTS

February 28, 1961

To the President of the Senate
Speaker of the House

We, your Joint Conference Committee, having had under consideration

Senate Amendment to Substitute House Bill No. 65, respectfully report and recommend as follows:

That the House accede to Senate Amendments to Substitute House Bill No. 65.

For the Senate:

MAHONEY,
BELEY,
McDONNELL.

For the House:

BLEWETT,
DYKSTRA,
STIMATZ.

Motion was made by Blewett for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Anderson (Madison), Conklin, Loman, Murray. Total 4.

Excused: None.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 do not pass.

NICHOLS, Chairman.

Motion was made by Nichols for adoption of the committee report.

Substitute motion was made by Cerovski that House Bill No. 451 be printed and placed on General Orders. Cerovski requested a roll call vote and sufficient seconds arose. After debate Crum made the substitute motion for all motions pending that House Bill No. 451 be laid on the table. Substitute motion by Crum carried.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 466, respectfully report as follows: That House Bill No. 466 do pass.

HAINES, Vice Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 465, respectfully report as follows: That House Bill No. 465 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had un-

der consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 do pass.

NICHOLS, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 455 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Brenner, Broeder, Bush, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Hall, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 74.

Noes: Bardanouve, Barnard, Bashor, Bradford, Burrell, Cerovski, Conklin, Coulter, Eskildsen, Gustafson, Harper, Haughey, Kvaalen, Moudree, Raundal, Schwinden. Total 16.

Absent or not voting: Haines, Johnson, Lewis, Mernin. Total 4.

Excused: None.

House Bill No. 456 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Bush, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Regan, Reinecke, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 73.

Noes: Aasheim, Bradford, Burrell, Cerovski, Conklin, Coulter, Eskildsen, Harper, Lewis, Lombardi, Moudree, Raundal, Stimatz, Teigen. Total 14.

Absent or not voting: Barnard, Jensen (Lake), Johnson, Mernin, Picard, Reed, Schye. Total 7.

Excused: None.

House Bill No. 458 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Broeder, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 62.

Noes: Aasheim, Abel, Bashor, Bradford, Brenner, Burrell, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hanks, Harper, Healy, Jensen (Mineral), Judge, Lewis, Lombardi, McOmber, Moudree, Picard, Raundal, Schwinden, Shelden, Stimatz, Stranahan, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 31.

Absent or not voting: Mernin. Total 1.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Sullivan of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 459 be amended in Section 3 in line 15 of page 2 of the original bill, being line 13 of page 2 of the printed bill, by deleting the following: "board fund 214" and inserting in lieu thereof the following: "revolving fund";

And be further amended in Section 3 by striking in line 16 of page 2 of the original bill, being line 14 of page 2 of the printed bill, the following words and figures "One hundred fifty thousand dollars.....\$150,000.00" and inserting in lieu thereof the words and figures "Two hundred seventy five thousand dollars.....\$275,000.00";

And be further amended in Section 3 by striking lines 17, 18 and 19 of page 2 of the original bill, being lines 15, 16 and 17 of page 2 of the printed bill in their entirety.

And be further amended in Section 4 in line 18 of page 3 of the original bill, being line 13 of page 3 of the printed bill, by deleting the following "board fund 214" and inserting in lieu thereof the following: "revolving fund";

And be further amended in Section 4 by striking in lines 19 and 20 of the original bill, being line 14 of page 3 of the printed bill, the words and figures "One hundred fifty thousand dollars.....\$150,000.00" and inserting in lieu thereof the following words and figures "Two hundred seventy five thousand dollars.....\$275,000.00";

And be further amended in Section 4 by striking lines 21, 22 and 23 of page 3 of the original bill, being lines 15, 16 and 17 of the printed bill in their entirety;

And as amended, that House Bill No. 459 do pass.

That House Bill No. 460 do pass.

That House Bill No. 461 do pass.

SULLIVAN (Deer Lodge).

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Daniels that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 209. Daniels requested a roll call vote and sufficient seconds arose. After debate Bashor moved for the previous question. Motion carried.

Motion by Daniels failed to carry by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Brenner, Cerovski, Conklin, Daniels, Emmons, Eskildsen, Etchart, Gustafson, Hanks, Harper, Healy, Jensen (Mineral), Judge, Laas, Lewis, Lombardi, Lucas, McOmber, Melcher, Moudree, Picard, Regan, Schwinden, Shelden, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 37.

Noes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bentz, Blewett, Broeder, Burrell, Crum, Dykstra, Edwards, Falkenstern, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 49.

Absent or not voting: Beam, Coulter, Goan, Haines, Mernin, Raundal, Spahr. Total 7.

Excused: Bush. Total 1.

Motion was made by Nichols that House Bill No. 463 be taken from General Orders and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Anderson (Yellowstone) that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To the President of the Senate
Speaker of the House

We, your Conference Committee appointed to consider House Amendments to Senate Bill No. 137, respectfully report and recommend as follows:

That the Senate accede to all the House Amendments and that Senate Bill No. 137 be further amended as follows:

Amend Senate Bill No. 137, Section 2, page 3, line 24 of the original bill, being page 4, line 52 of the printed bill, by striking after the word "any" the words: "and all property" and inserting in lieu thereof the following words: "New Industrial Plant";

And further amend Senate Bill No. 137, Section 2, page 3, lines 26 and 27 of the original bill, being page 4, line 54 of the printed bill, by striking after the word "operation", the words: "by such new industry" and inserting in lieu thereof the following words: "not having been assessed prior to July 1, 1961";

And as so amended, be concurred in.

For the Senate:

HARKEN,
McKEON,
BROWNFIELD.

For the House:

HAUGHEY,
DYKSTRA,
BUSH.

Motion was made by Haughey for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright. Total 80.

Noes: Conklin, Harper. Total 2.

Absent or not voting: Aasheim, Emmons, Goan, Kolar, Mernin, Shelden, Spahr, Wayrynen. Total 8.

Excused: Bush, Gustafson, Sullivan (Silver Bow), Mr. Speaker. Total 4.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Nos. 93, 89, 59, 77, 167, 14, 95. 90, 94, 112, 15, 169, 62, 17, Senate Substitute 86, Senate Substitute 204, Senate Substitute for House Substitute for Senate Bill 102, 36, 99, 60, 105, 172, 66, 20, 136, 103, Senate Substitute 12, Senate Substitute 159.

To the President of the Senate
Speaker of the House

We, your Joint Conference Committee, having had under consideration House amendments to Senate Bill No. 96, respectfully report and recommend as follows:

That the House recede from the House amendments to Senate Bill No. 96.

For the Senate:

DURKEE,
HIBBS,
GROFF.

For the House:

ADAMS,
JENKINS,
BARDANOUVE.

Motion was made by Adams for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Coulter, Crum, Daniels, Edwards, Eskildsen, Etchart, Falkenstern, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Weeks, Wright, Mr. Speaker. Total 78.

Noes: Conklin. Total 1.

Absent or not voting: Barnard, Broeder, Dykstra, Emmons, Goan, Haines, Kolar, Lewis, Mernin, Thompson, Wayrynen. Total 11.

Excused: Bush, Gustafson, Nichols, Sullivan (Silver Bow). Total 4.

To the President of the Senate
Speaker of the House

We, your Joint Conference Committee appointed to consider House Committee of the Whole Amendments to Senate Bill No. 182, respectfully report as follows:

That the House Committee of the Whole Amendment to Section 2 be deleted in its entirety and that a new subsection 2 be created stating: "(2) To such parts of fenced highways adjacent to open range where no highway device has been installed to exclude range livestock therefrom."

And further to renumber the present subsection (2) to read subsection "(3)";

That the House Committee of the Whole amendment to Section 1, line 6 of the printed bill be accepted;

And that Senate Bill 182 so amended be accepted.

For the Senate:

MICHEL,
THOMAS,
KELLER.

For the House:

STEARNS,
GUSTAFSON,
BROEDER.

Motion was made by Stearns for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Cerovski, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker: Total 79.

Noes: Conklin. Total 1.

Absent or not voting: Barnard, Broeder, Goan, Jensen (Lake), Kolar, Lewis, Mernin, Moudree, Shelden, Wayrynen. Total 10.

Excused: Bush, Gustafson, Nichols, Sullivan (Silver Bow), Total 4.

To the President of the Senate
Speaker of the House

We, your Joint Conference Committee appointed to consider Senate Substitute for Substitute House Bill No. 134, respectfully report as follows:

That Senate Substitute for Substitute House Bill No. 134 be amended as follows:

That the title be amended in line 5 on page 1 of the original bill, which is line 2, page 1 of the printed bill, after the comma following the figure "1947" by adding the following words, figures and punctuation: "as last amended by section 9, chapter 259, Laws of 1955,";

That the title be amended in line 17 on page 1 of the original bill, which is line 18 on page 1 of the printed bill, after the comma following the figure "1947" by adding the following words, figures and punctuation: "as last amended by section 10, chapter 259, Laws of 1955,";

That the title be amended in line 28 on page 1 of the original bill, which is line 11, page 2 of the printed bill, after the comma following the figure "1947" by adding the following words, figures and punctuation: "as last amended by section 1, chapter 133, Laws of 1957,";

That Section 1 be amended in line 17 on page 2 of the original bill, which is line 2 on page 3 of the printed bill, after the comma following the figure "1947" by adding the following words, figures and punctuation: "as last amended by Section 9, Chapter 259, Laws of 1955,";

That Section 3 be amended in line 24 on page 3 of the original bill, which is line 2 on page 4 of the printed bill, after the comma following the figure "1947" by adding the following words, figures and punctuation: "as last amended by Section 10, Chapter 259, Laws of 1955,";

That Section 5 be amended in line 27 on page 8 of the original bill, which is line 2 on page 9 of the printed bill, after the figure "1947", by adding the following words, figures and punctuation: "as last amended by Section 1, Chapter 133, Laws of 1957,";

And as so amended, be concurred in.

For the Senate:

HARKEN,
DUSSAULT,
McDONNELL.

For the House:

MURRAY,
SCHYE,
LAAS.

Motion was made by Murray for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Raundal, Stranahan. Total 2.

Absent or not voting: Broeder, Hanks, Jensen (Lake), Kolar, Lewis, Mernin, Shelden, Wayrynen. Total 8.

Excused: Bush, Gustafson, Sullivan (Silver Bow). Total 3.

Mr. Speaker: We, your Committee on Bills, to whom was referred Substitute House Bill No. 457, beg leave to report that the same has this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 454.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 36, 72, 96, 113, 172, 182, 142, Substitute House Bill No. 124 and Senate Substitute for House Bill No. 135.

REED, Chairman.

I have examined House Bill No. 182 introduced by me and find the same to be correct.

SWANZ

I have examined House Bill No. 172 introduced by me and find the same to be correct.

KELLER

I have examined House Bill No. 142 introduced by me and find the same to be correct.

HIBBARD

I have examined Substitute House Bill No. 124 introduced by me and find the same to be correct.

ESKILDSEN

I have examined House Bill No. 72 introduced by me and find the same to be correct.

LEUTHOLD

I have examined House Bill No. 36 introduced by me and find the same to be correct.

ANDERSON (Yellowstone)

I have examined Senate Substitute for House Bill No. 135 introduced by me and find the same to be correct.

HAUGHEY

I have examined House Bill No. 113 introduced by me and find the same to be correct.

HILLING

I have examined House Bill No. 96 introduced by me and find the same to be correct.

SEYMOUR

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 36, 72, 96, 113, 172, 182, 142, Substitute House Bill No. 124 and Senate Substitute for House Bill No. 135.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 186, 249, 250, 317, 323, 342, 363, 442.

REED, Chairman.

I have examined House Bill No. 186 introduced by me and find the same to be correct.

AASHEIM

I have examined House Bill No. 249 introduced by me and find the same to be correct.

SULLIVAN (Silver Bow)

I have examined House Bill No. 250 introduced by me and find the same to be correct.

SULLIVAN (Silver Bow)

I have examined House Bill No. 317 introduced by me and find the same to be correct.

JENSEN (Lake)

I have examined House Bill No. 323 introduced by me and find the same to be correct.

BROEDER

I have examined House Bill No. 342 introduced by me and find the same to be correct.

BEAM

I have examined House Bill No. 363 introduced by me and find the same to be correct.

PICARD

I have examined House Bill No. 442 introduced by me and find the same to be correct.

CONKLIN

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 186, 249, 250, 317, 323, 342, 363 and 442.

MESSAGES FROM THE SENATE

March 1, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Substitute for Substitute House Bill No. 400 introduced by Committee on State Administration was this day read third time and passed, title and history agreed to and is herewith transmitted to the House for concurrence.

The Senate this day temporarily suspended Joint Rule No. 22 for the purpose of transmitting Senate Substitute for Substitute House Bill No. 400 to the House.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

March 1, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 26 introduced by Appropriations Committee.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

March 1, 1961

Mr. Speaker:

The Senate on this day, on roll call vote, accepted the Joint Conference Committee reports on House Amendments to

Substitute Senate Bill No. 166.

Senate Bill No. 182.

Substitute Senate Bill No. 84.

Respectfully,

ALFRED R. ANDERSON
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Anderson (Yellowstone) moved that the House suspend Joint Rule 22 for the purpose of receiving transmittal of Senate Substitute for Substitute House Bill No. 400. Motion carried.

House Resolution No. 3, introduced by Bardanouve, having been read on Motions and Resolutions yesterday and consideration of same passed for the day, was on the calendar for consideration this day. Bardanouve moved for adoption of the resolution. After debate. Crum made the substitute motion that House Resolution No. 3 be laid on the table. Substitute motion carried.

House Resolution No. 5, introduced by Kvaalen et al, having been read on Motions and Resolutions yesterday and consideration of same passed for the day, was on the calendar for consideration this day. Kvaalen moved for adoption of the Resolution. Motion carried.

Kvaalen moved that the Chief Clerk be instructed to submit a copy of House Resolution No. 5 to the Governor. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 6

Introduced by Committee on Ways and Means

A Resolution of the House of Representatives of the State of Montana to the Appropriations Committee of the House of Representatives of the 37th Legislative Assembly for an investigation and report by the budget director of the State of Montana on legislative control of expenditures of state funds by state boards and departments.

WHEREAS, the Ways and Means Committee of the House of Representatives of the 37th Legislative Assembly has made certain studies of the spending practices of certain boards, bureaus or agencies; and

WHEREAS, in several instances the Ways and Means Committee has discovered that the legislature has lost control over the kind and manner of spending of state funds; and

WHEREAS, in the opinion of the members of the Ways and Means Committee, these monies were spent in a manner that would not be approved by the legislature; and

WHEREAS, the Ways and Means Committee concludes that a thorough study should be made of our state departments, board, bureaus, agencies, school districts and university units, by the State Budget Director and that a report should be made to the 38th Legislative Assembly, setting out the number of dollars that could be saved without injury to necessary services by the above recipients of state funds.

NOW, THEREFORE, Be It Resolved, by the House of Representatives of the 37th Legislative Assembly that, to enable the budget director to hire additional accountants to make a two-year examination of all expenditures of state monies, the House of Representatives Appropriations Committee of the 37th Legislative Assembly be directed to initiate bills for the appropriation of thirty thousand dollars (\$30,000.00) per year for the biennium for the specific purpose of recommending savings that can be accomplished through legislative control of such expenditures.

Motion was made by Page for adoption of the Resolution. Motion carried. Resolution adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 464 and 466, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report that following bills correctly engrossed: House Bills Nos. 460 and 459.

MURRAY, Vice Chairman.

CONSIDERATION OF GENERAL ORDERS

Anderson (Yellowstone) moved that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Sullivan of Deer Lodge in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 457 be amended in section 3, line 25 of page 2 of the original bill, being line 22 of page 2 of the printed bill, by inserting after the word "river" and before the comma (,) the word "compact";

And be further amended in section 4 in line 25 of page 10 of the original bill, being line 22 of page 10 of the printed bill, by inserting after the word "river" and before the comma (,) the word "compact"; and as amended, do pass.

That House Bill No. 464 be amended in section 2 by striking out in lines 2 and 3, page 1 of the printed bill, lines 19 and 20 of the original bill, the phrase: "and from the special funds enumerated herein not otherwise appropriated,";

Be further amended in section 3 in lines 2 and 3, page 2 of the printed bill, being lines 30 and 31 of the original, by striking out the following phrase: "and from the special funds enumerated herein not otherwise appropriated,"; and as amended, that House Bill No. 464 do pass.

That House Bill No. 466 be amended in the title in line 2 of the printed bill, which is line 5 of the original bill, by inserting after the word "the" and before the word "university" the following language and punctuation: "state board of education, ex officio regents,";

Be further amended in section 1 in line 2 of the printed bill which is line 13, page 1 of the original bill, by inserting after the words "to the" the following language and punctuation: "state board of education, ex officio regents,"; and as amended, that House Bill No. 466 do pass.

SULLIVAN (Deer Lodge), Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 465, beg leave to report that the same has this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 461.

REED, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Sullivan of Deer Lodge in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 465 do pass.

SULLIVAN (Deer Lodge), Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 454 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright. Total 87.

Noes: None.

Absent or not voting: Wayrynen. Total 1.

Excused: Bush, Gustafson, Lord, Nichols, Sullivan (Silver Bow), Mr. Speaker. Total 6.

House Bill No. 460 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Page, Pierce, Reed, Regan, Reinecke, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks. Total 68.

Noes: Aasheim, Cerovski, Conklin, Coulter, Daniels, Emmons, Harper, Healy, Kvaalen, Lombardi, McOmber, Mernin, Moudree, Picard, Raundal, Schwinden, Shelden, Stimatz, Wright. Total 19.

Absent or not voting: Wayrynen. Total 1.

Excused: Bush, Gustafson, Lord, Nichols, Sullivan (Silver Bow), Mr. Speaker. Total 6.

House Bill No. 459 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright. Total 86.

Noes: None.

Absent or not voting: Rygg, Wayrynen. Total 2.

Excused: Bush, Gustafson, Lord, Nichols, Sullivan (Silver Bow), Mr. Speaker. Total 6.

House Bill No. 461 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Haines, Hall Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Reinecke, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Weeks, Wright. Total 88.

Noes: None.

Absent or not voting: Wayrynen. Total 1.

Excused: Bush, Gustafson, Lord, Sullivan (Silver Bow), Mr. Speaker. Total 5.

February 28, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 32, 168, 194, 221, 371, 410, 413, House Joint Memorial No. 15, Substitute House Bill 90, Senate Substitute for House Bill No. 165, House Bills Nos. 399, 440, Substitute House Bill No. 53, House Bills Nos. 131, 140, 231, 324, 388, 436, 38, House Joint Memorial No. 18, House Joint Resolution No. 12, House Bills Nos. 71, 99, 247, 248, 258, 266, 269, 291, 383, 397, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4 o'clock, p. m., delivered to the Governor for his approval.

REED, Chairman.

March 1, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 36, 72, 96, 113, 124, 142, 172, 182, 186, 249, 250, 317, 323, 342, 363, 442 and Senate Substitute for House Bill No. 135, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:35 p. m., delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House adjourn until 10:00 a. m., Thursday, March 2, 1961. Motion carried.

House adjourned.

CLYDE L. HAWKS, Speaker.

TOM HAINES, Speaker Pro Tem.

GEORGE T. HOWARD, Chief Clerk.

SIXTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 2, 1961

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Reinecke, excused for personal business.

Mr. Speaker, We, your Committee on Rules and Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee to consider House amendments to Senate Bill No. 181, respectfully report as follows:

The the Senate accede to the first House amendment;

That the Senate accede to the second House amendment;

That the Senate accede to the third House amendment;

That the Senate accede to the fourth House amendment;

That the Senate accede to the fifth House amendment;

That the Senate accede to the sixth House amendment;

That the seventh House amendment be amended by the Conference Committee by striking the entire seventh amendment and inserting in lieu thereof the following:

"Section 1. Whenever the right of eminent domain is exercised to acquire estates and rights in land for the purpose of open pit mining of the ores, metals or minerals owned by the plaintiff, the decree shall be granted on condition that the plaintiff protects the public in the immediate area by agreeing to purchase all residential property within three hundred (300) feet of the surface tract condemned, including vacant lots in a residential area, provided the owner or owners thereof serve upon the plaintiff and file with the court a written offer stating the amount asked for such property within thirty (30) days from the entry of the court order appointing commissioners in said eminent domain proceeding. In the event the plaintiff and the owner or owners are unable to agree upon the compensation to be paid for such property, the court, upon petition of either party, may proceed to determine the compensation to be paid for such property in the manner prescribed in title 93, chapter 99, Revised Codes of Montana, 1947, as amended, for ascertaining the value of property taken through the exercise of the right of eminent domain."

That the Senate accede to the eighth House amendment;

That a new section be inserted to be known as section 3, providing as follows:

"Section 3. The measure of compensation for the residential property located within three hundred (300) feet of the surfaced tract condemned shall be the fair market value or the value of similar residential property in a similar area not affected by open pit mining operations, whichever the owner of the surface property shall elect to receive."

That a new section be added to be known as section 4, providing as follows:

"Section 4. Any party seeking to condemn property for open pit mining purposes shall serve notice in writing on all residential property owners who reside within three hundred (300) feet of the surface tract

sought to be condemned or in lieu thereof shall file a plat showing the boundaries of the property sought to be condemned in the office of the County Clerk and Recorder, and the filing of said plat shall constitute notice to the owner or owners not personally served with written notice as herein provided."

That the Senate accede to the ninth House amendment;

That the Senate do not accede to the tenth House amendment;

That as so amended, Senate Bill No. 181 be concurred in.

For the Senate:

McKEON,
LEHRKIND,
REARDON.

For the House:

MURRAY,
BLEWETT,
BUSH.

Motion was made by Murray for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lord, Lucas, Lundgren, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Cerovski, Conklin, Lombardi, Mernin, Stimatz, Teigen. Total 6.

Absent or not voting: Daniels, Raundal. Total 2.

Excused: Hazelbaker, Mathers, Page, Reinecke. Total 4.

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee to consider Senate amendments to House Bill No. 116, respectfully report as follows:

That the Senate recede from its amendments to House Bill No. 116 and return it to its original form, and

That, as such, House Bill No. 116 be concurred in.

For the Senate:

BOVEY,
HIBBS,
CUMMING.

For the House:

GOAN,
SPAHR,
LOMAN.

Motion was made by Goan for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Asbjornson, Bald-

win, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Bush, Conklin, Crum, Dykstra, Emmons, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, McOmber, Melcher, Murray, Nelstead, Page, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 64.

Noes: Abel, Bardanouve, Barnard, Brenner, Burrell, Cerovski, Coulter, Daniels, Edwards, Eskildsen, Harper, Healy, Jensen (Mineral), Laas, Lewis, Lombardi, Mernin, Moudree, Nichols, Picard, Raundal, Schwinden, Shelden, Stimatz, Teigen, Twedt, Wayrynen. Total 27.

Absent or not voting: Anderson (Madison). Total 1.

Excused: Mathers, Reinecke. Total 2.

To the: President of the Senate,
Speaker of the House.

We, your Joint Committee appointed to consider amendments to House Bill No. 95, respectfully report as follows: That Senate amendments be not concurred in.

For the Senate:

MANNING,
COLE,
HAUK.

For the House:

McOMBER,
SCHYE,
PIERCE.

Motion was made by McOmber for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Regan, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Daniels, Mernin, Picard, Schwinden. Total 4.

Excused: Mathers, Reed, Reinecke. Total 3.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 465, 466, 464, Sub. House Bill No. 457.

REED, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 be amended as follows:

Amend section 3 of page 2 of the printed bill by striking lines 10 and 11 in their entirety and inserting in lieu thereof the following:

"Salary of department head, nine thousand dollars	\$ 9,000.00
Operation, ninety thousand three hundred seventy-six dollars	\$90,376.00
Capital, thirty nine thousand fifteen dollars	\$39,015.00
Aviation Education Grant, sixteen thousand five hundred dollars ..	\$16,500.00

All monies collected annually in excess of the total annual appropriations to the Aeronautics Commission shall revert to the general fund at the end of the first fiscal year."

Amend further in section 4 of page 3 of the printed bill by striking lines 11 and 12 in their entirety and inserting in lieu thereof the following:

"Salary of department head, nine thousand dollars	\$ 9,000.00
Operation, ninety-four thousand six hundred ninety-two dollars ..	\$94,692.00
Capital, forty-one thousand five hundred two dollars	\$41,532.00
Aviation Education Grant, sixteen thousand five hundred dollars ..	\$16,500.00

All monies collected annually in excess of the total annual appropriation to the Aeronautics Commission shall revert to the General Fund at the end of the fiscal year."

And as so amended, do pass.

NICHOLS, Chairman.

Motion was made by Nichols for adoption of the committee report. Report not adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times at length, titles and history agreed to, were disposed of in the following manner:

House Bill No. 465 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Cerovski, Coulter, Crum, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 83.

Noes: Burrell, Edwards, Haughey. Total 3.

Absent or not voting: Anderson (Madison), Barnard, Conklin, Daniels, Kolar, Mernin, Sullivan (Silver Bow). Total 7.

Excused: Reinecke. Total 1.

House Bill No. 466 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Nichols, Page, Pic-

ard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Sullivan (Deer Lodge), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: Burrell, Kvaalen, Stranahan. Total 3.

Absent or not voting: Anderson (Madison), Barnard, Cerovski, Conklin, Sullivan (Silver Bow). Total 5.

Excused: Reinecke. Total 1.

House Bill No. 464 was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Bush, Coulter, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Mernin, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Burrell, Edwards, Goan, Haughey, Hilling, Kolar, Leuthold, Nichols, Rosell, Smith, Thompson. Total 11.

Absent or not voting: Anderson (Madison), Barnard, Cerovski, Conklin, Sullivan (Silver Bow). Total 5.

Excused: Reinecke. Total 1.

Substitute House Bill No. 457 was passed by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Burrell, Conklin, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 73.

Noes: Aasheim, Bradford, Bush, Cerovski, Coulter, Emmons, Eskildsen, Harper, Lewis, Lombardi, McOmber, Mernin, Moudree, Shelden, Stimatz. Total 15.

Absent or not voting: Anderson (Madison), Barnard, Jensen (Mineral), Picard, Sullivan (Deer Lodge). Total 5.

Excused: Reinecke. Total 1.

Motion was made by Anderson (Yellowstone) that the House recess until 1:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that House Bill No.

463 be taken from the Appropriations Committee and referred to General Orders. Motion carried.

Motion was made by Anderson (Yellowstone) that Joint Rule No. 9 be amended after the period at the end of rule by adding: "Any bill, amending or repealing existing statutes, introduced shall, below the line on which the bill's authorship is indicated, and before the title thereof, provide a key in letters and numerals showing the section or sections, of the Revised Codes of Montana, 1947, and all amendments or repeals thereto contained or effected by said bill."

The Speaker referred the proposed amendment to the Committee on Rules and Journal.

CONSIDERATION OF GENERAL ORDERS

Anderson (Yellowstone) moved that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Higham of Carbon in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Joint Memorial No. 12 be concurred in.

That Senate Substitute to Sub. House Bill No. 400 be concurred in.

That consideration of House Bill No. 463 be passed for this sitting.

HIGHAM, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following Senate Amendments were read and disposed of as follows:

Senate Amendments to House Joint Memorial No. 12 were concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanoue, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Keller, Kvaalen, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Mathers, Melcher, Moudree, Murray, Nichols, Page, Picard, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Wayrynen, Weeks, Wright, Mr. Speaker. Total 79.

Noes: Abel, Daniels, Twedt. Total 3.

Absent or not voting: Anderson (Madison), Bashor, Broeder, Jensen (Lake), Judge, Kolar, Lord, McOmber, Nelstead, Pierce. Total 10.

Excused: Mernin, Reinecke. Total 2.

Senate Substitute for Substitute House Bill No. 400 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Bush, Cerovski, Conklin, Coulter, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 81.

Noes: Haines, Lucas, Page, Picard, Raundal, Wayrynen. Total 6.

Absent or not voting: Anderson (Madison), Broeder, Jensen (Lake), Laas, Pierce. Total 5.

Excused: Mernin, Reinecke. Total 2.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee, after having had under consideration Senate amendment to House Bill No. 37, respectfully report as follows:

That the Senate recede from its amendments to the title and sections 1, 2, 3, 4, 5, 6, 7 and 8 in their entirety and that the Joint Conference Committee recommends that the bill be amended as follows:

That section 8 on page 3 of the printed bill be renumbered section 9 and that a new section 8 be inserted to read as follows:

“Section 8. No provision of this Act shall affect or impair:

(1) any contract or undertaking, or the financing or agreement to finance any contract or undertaking entered into under the provisions of the laws repealed by section 9 of this Act prior to the effective date of this act, or;

(2) the issuance of bonds to finance facilities authorized or commenced under the laws repealed by section 9 of this Act prior to the effective date of this Act.”

That House Bill No. 37 be concurred in, as amended.

For the Senate:

DURKEE,
CUMMING,
MACKAY.

For the House:

HAZELBAKER,
HILLING,
SCHWINDEN.

Motion was made by Hazelbaker for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Burrell, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Johnson, Judge, Keller, Kolar, Leuthold, Lewis, Loman, Lombardi, Lord, Lundgren, Mathers, McOmber, Melcher, Moudree,

Murray, Nelstead, Nichols, Picard, Regan, Rosell, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 77.

Noes: Bush, Cerovski, Conklin, Coulter, Haines, Lucas, Page, Raundal, Reed, Schye. Total 10.

Absent or not voting: Broeder, Jensen (Lake), Kvaalen, Pierce, Laas. Total 5.

Excused: Mernin, Reinecke. Total 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the following named House employees, heretofore employed by the Employment Committee of the House be dropped from the payroll effective as of March 1, 1961:

Blanche Coleman.....Typist

Effective as of February 16, 1961:

William Johnson.....Page

Effective as of close of business March 2, 1961:

Mary E. Allen.....	Stenographer
Cherie Ballard.....	Stenographer
Emil Banik.....	Mimeograph Clerk
Judy Billerbeck.....	Stenographer
Ethel Chandler.....	Mimeograph Clerk
Florence Chevalier.....	Typist
Dolores C. Clarke.....	Stenographer
Vera M. Clarke.....	Stenographer
Sharon L. Colvin.....	Typist
Jerry W. Cowger.....	Mimeograph Clerk
Maxine B. Conver.....	Stenographer
Marguerite Cowan.....	Mimeograph Clerk
Jean M. Delaney.....	Proof Reader
Anna M. DeWolf.....	Proof Reader
Alma E. Dupuis.....	Proof Reader
Thelma Fleming.....	Stenographer
Lucy A. Fluhr.....	Proof Reader VFW
Kay Fred.....	Stenographer
Joe Grenier.....	Printing Clerk
Rev. I. C. Gronneberg.....	Chaplain
Elizabeth Gunderson.....	Stenographer
Kathlyn Helfert.....	Proof Reader
Delores R. Hill.....	Typist
Alice L. Hoiland.....	Stenographer Law Clerk
Mildren Johnson.....	Proof Reader VFW
Evelyn R. Johnston.....	Stenographer
Neil S. Martin.....	Proof Reader VFW
Rebecca Mattson.....	Stenographer
Nora B. McKelvey.....	Stenographer
Lester McMillan.....	Assistant Printing Clerk
Maxine S. Mecham.....	Stenographer
Beverly E. Murfitt.....	Secretary Judiciary Committee
Josephine K. Neill.....	Stenographer
Grace Peterson.....	Proof Reader VFW
Mollie S. Roth.....	Typist
Shirley Sautter.....	Typist
Lila Schwefel.....	Stenographer

Inez Scow.....	Proof Reader
Dorothy Srenar.....	Stenographer
Josephine Shanks.....	Stenographer
Dorothy Smith.....	Proof Reader VFW
Carlton Smithwick.....	Law Clerk
Kathleen Stoker.....	Mimeograph Clerk
Elinor V. Taylor.....	Stenographer
Hallie Weydemeyer.....	Stenographer
Barbara J. Young.....	Proof Reader

HAZELBAKER, Chairman.

Report adopted.

Motion was made by Anderson (Yellowstone) that the House be on a Special Order of Business for the purpose of hearing the report by the Necrology Committee. Motion carried.

SPECIAL ORDER OF BUSINESS

The following report of the Necrology Committee was presented to the House with appropriate ceremonies:

IN MEMORIAM

Whom have I in heaven but Thee? And there is none upon earth that I desire beside Thee. My flesh and my heart faileth; but God is the strength of my heart and my portion for ever.

Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.

I will greatly rejoice in the Lord, my soul shall be joyful in my God; for He hath clothed me with the garments of salvation, He hath covered me with the robe of righteousness.

Come unto Me, all ye that labor and are heavy laden, and I will give you rest. Take My yoke upon you and learn of Me; for I am meek and lowly in heart, and ye shall find rest unto your souls. For My yoke is easy, and My burden is light.

My sheep hear My voice, and I know them, and they follow Me, and I give unto them eternal life; and they shall never perish, neither shall any man pluck them out of My hand.

I am persuaded that neither death nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

Psalms 73:25, 26; Psalm 90:1, 2; Isaiah 61:10;

Matthew 11:28, 29; John 10:27, 28; Romans 8:38, 39.

(Chaplain I. C. Gronneberg)

Today, we pause to honor the memory of those who have finished an earthly task and have crossed the Great Divide. We recall their virtues and their full love of their fellow man. Without thought of personal gain, with honesty and sincerity, they served their state with credit to themselves and honor to those they represented.

It is with deepest appreciation we recall the results of their efforts and give thanks to our former colleagues, humbly and gratefully.

"They are not dead who live
In hearts they leave behind,
In those whom they have blessed,
They live a life again,
And shall live through the years
Eternal live, and grow
Each day more beautiful
As time declares their good,
Forgets the rest, and proves
Their immortality."

(Hugh Robert Orr)

WHEREAS, certain members of the former sessions of the Montana Legislature have been called from their earthly labors by reason of death, and

WHEREAS, the members of the House of Representatives of this Thirty-seventh Legislative Assembly desire to pause in their deliberations to recognize and pay homage to these distinguished citizens of our state,

NOW, THEREFORE, BE IT RESOLVED, That a copy of this Memorial be entered upon the Journal of the House of Representatives, and that original copies thereof, be signed by the Speaker of the House of Representatives, the Majority Floor Leader of the House of Representatives, and the members of the Necrology Committee and sent to the widow or surviving relative and copies placed on file with the Secretary of State and the Historical Society of the State of Montana:

JOHN B. BOURASSA

John B. Bourassa served in the House from Daniels County in the 1943 session and in the Senate in the 1945 and 1947 sessions. He had been a county commissioner, a state liquor inspector out of Miles City and chief field agent for 14 years of the Montana Land Board. He was a Farmers Union fieldman when he died on a hunting trip in Meagher County November 8, 1959, at the age of 64.

Mr. Bourassa and his wife were hunting north of Fort Logan. They had obtained their game and were preparing to leave the area when their car stalled on a country road. Mr. Bourassa was stricken unexpectedly and died seconds later. His wife gave him artificial respiration but was unable to revive him. She spent the remainder of the night at the scene and early next morning sought assistance by walking 11 miles to the nearest ranch where she could notify the Coroner at White Sulphur Springs.

Survivors include the widow Aurora, three sons and three daughters.

GEORGE T. BOOTH, SR.

George T. Booth, Sr., served in the House from Cascade County in the 1915 and 1917 sessions. A Democrat and former Great Falls alderman, he operated a confectionery store for 49 years before moving to California in 1956. He died at Sacramento, California, March 30, 1960, at the age of 91.

J. L. DAVEY

J. L. Davey was born in Murray Harbor, Prince Albert Island, Canada in 1885 and first came to the United States in 1902. He worked as a jeweler in Boston. He returned to Canada in 1910 and engaged in the dry cleaning business in Saskatchewan.

In 1915, Mr. and Mrs. Davey settled on a ranch 18 miles north of Wolf Point and started the Davey Tailor & Dry Cleaning Shop in town.

He also worked as a carpenter and helped erect several business places, as well as the pontoon bridge south of town in 1916.

He was known for his charitable work and among his chief charities was the providing of education for several Wolf Point youths. He was a charter member of the Wolf Point golf club in 1924.

Mr. Davey served in the House of Representatives in the 1941 through 1945 sessions. He passed away in Glencoe, Minnesota in December, 1960 and is buried in his birthplace.

ELDON J. FREED

Eldon J. Freed served in the House from Petroleum County in the sessions of 1929, 1931 and 1933. A Democrat, he was the second manager of Petroleum County. He also served as county superintendent of schools and assessor. He taught school at Moore, Geyser and Yellowstone before homesteading in what is now Petroleum County in 1912. Mr. Freed died in Winnett September 18, 1959, at the age of 76.

ALLEN GOODGAME

Allen Goodgame of Libby, Montana was born in Athens, Texas, the oldest of seven children. He left his home in 1916 and never returned to his home after that.

Mr. Goodgame never married but he was always interested in the education of children and followed the teaching profession in several states.

When he came to the Libby area he went to work in the woods for Bud Feenan.

He represented Lincoln County in the 1951, 1953, and 1955 sessions. He was an avid stamp collector and spent considerable time at this hobby.

He is survived by a brother, Wayne Goodgame of Brady, Texas, and two sisters in Texas.

AUGUSTUS H. GRAY

Augustus H. Gray served in the House from Cascade County in the 1907 and 1909 sessions. A Republican, he was an Indiana school teacher before becoming a lawyer. He was a deputy county attorney, Great Falls city attorney and a federal bankruptcy referee. Gray died in Great Falls June 9, 1959, at the age of 86.

H. CLAY GROFF

H. Clay Groff served in the House from Ravalli County in the 1909 session and in the Senate in the 1911, 1913, 1935, and 1937 sessions. A Democrat, he was the father of Ravalli County's present senator, William A. Groff. The senior Groff taught school before joining the Farmer's State Bank in Victor of which he was an officer. In 1915, he served on the United States Mint Commission. Groff died in Hamilton June 24, 1959, at the age of 90.

H. C. Groff was born January 4, 1869, in Tillamook, Oregon and was married to Julia V. Smith on December 31, 1902.

They came to the Bitterroot Valley in 1877 and the early years were spent in ranching and running sheep until he became interested in teaching and, later banking.

GEORGE W. GUSTAFSON

George W. Gustafson represented Blaine County in the House in the

1927 session and in the Senate in the 1929 and 1931 sessions. An extension agent in Jefferson, Blaine and Big Horn counties he became county agent supervisor in 1946 and state coordinator of the Rural Firefighters Service in 1947. Later he was agricultural advisor to the Hashemite government in Jordan. A Republican, he died in Bozeman May 3, 1960, at the age of 72.

DAVE J. HAGERTY

Dave J. Hagerty, a retired Milwaukee Railroad employee, died in Miles City in January, 1961.

He served Custer County as a representative in the 1933 and 1935 sessions.

He is survived by his widow Lucile, who resides in Santa Cruz, California.

STEPHEN A. HOLT

Stephen A. Holt served in the House from Custer County in the 1919 session and in the Senate from Powder River County in the 1929 and 1931 sessions. A Republican, he had been master of the Masonic Grand Lodge and head of the Montana Pharmaceutical Association. The one time mayor of Ekalaka ran a drug store in Broadus from 1920 until his retirement in 1943. He moved to Billings in 1950 and died there February 16, 1960, at the age of 85.

CHARLES A. LEMMON

Charles A. Lemmon served in the House from Deer Lodge County in the 1913 through 1919 sessions and in the sessions of 1923 and 1925. A Democrat and one time president of the Montana Society of Engineers he went to Anaconda in 1905 as chief civil engineer of the Butte, Anaconda & Pacific Railway. He began service with the Anaconda Company at the smelter in 1916 and was assistant manager when he retired in 1956. He died at Anaconda November 4, 1960, at the age of 78.

MICHAEL J. LOUGHRAN

Michael J. Loughran was dean of the House with 11 sessions from Silver Bow County, starting in 1939. Democrat Loughran died in Butte January 13, 1960, at the age of 72. A mining engineer by profession, he had been county surveyor and city engineer.

Mike Loughran was born in Virginia City, Nevada in 1887 and moved to Butte, Montana in 1892 with his parents. He attended Butte schools and in 1909 he received a degree in engineering from the Montana School of Mines.

He worked for the Anaconda Company during his college years and in 1910 was in the testing department of the Anaconda Reduction Works.

From 1919 to 1931 he was Silver Bow County Surveyor and from 1931 to 1935 he was Butte City Engineer.

At the time of his death he was the oldest Democratic member in the House of Representatives in point of continuous service.

Survivors include his widow, Minnie, a son, Jim Loughran of Butte, and daughter, Mrs. Robert Love of Princeville, Oregon. He was a member of the Elks Lodge in Butte, and Butte Council Knights of Columbus.

BEN B. MILES

Ben B. Miles represented Sweet Grass County in the 1933-1934 regular and special sessions and in the sessions of 1937 and 1939. A Republi-

can, he was minority leader in 1939. After moving to Gallatin Gateway from his native Missouri when he was 17, he homesteaded in 1892 on newly opened lands on the Crow Indian Reservation. He moved from Big Timber to Opportunity, Washington, in 1953 and died at Spokane January 9, 1960, at the age of 90.

LEONARD W. MOEN

Len Moen, a longtime resident and prominent business man of Culbertson, died in Polson, Montana, January 3, 1961.

Mr. Moen was born in 1899 at Church's Ferry, North Dakota and came to Montana with his parents in 1906 where they homesteaded in the Culbertson area.

He was attending Montana State College when he entered the armed forces for World War I. He also served in World War II. Returning from the first war, he moved back to Culbertson and went into the grocery and hardware business. He served as mayor of Culbertson from 1932 through 1940. He represented Roosevelt County in the 1945 session.

In 1959 the Moens moved to Polson and undertook a grocery and cabin business, called Moen's Village.

Surviving are a widow, Harriet in Polson, and three daughters and two sons.

SAMUEL E. MOSS, SR.

Samuel E. Moss, Sr., represented Custer County in the 1939 session. A Democrat, he was labor coordinator and safety engineer for the Montana Highway Department in 1949-1953 and also was a member of the State Relief Commission. Moss died in Miles City May 6, 1960, at the age of 78.

G. FRED MUNDY

G. Fred Mundy served in the House from Hill County in the 1935 session and in the Senate from 1941 through 1947 sessions. He operated a rolling mill at Gildford from 1915 to 1948, then wrote insurance until retiring in 1954 and moving to Havre where he died January 24, 1960, at the age of 70.

JOSEPH N. NASS

Joseph N. Nass served in the House from Valley County in the 1933 1934 regular and special sessions and in the 1943 session and was a senator in the 1935 and 1937 sessions. A Democrat, he opened the first motel at Glasgow in 1930 after having been in the drygoods business in Libby and Idaho. He died at Glasgow in early October, 1960 at the age of 87.

BEN E. NELSON

Ben E. Nelson passed away in 1960 while visiting relatives in Los Angeles.

Mr. Nelson was a freight and passenger agent in Malta and from 1919 to 1933 he was postmaster of that town. During the construction of Fort Peck Dam he served as a land purchasing agent. When he retired in 1959 he was employed by the Alexander Film Company in Kalispell. He served his county as its representative in the 1925 and 1927 sessions of the Legislature. Survivors include a widow, Olga, a daughter, a son and three sisters.

STUART H. NICHOLSON

Stuart H. Nicholson served in the House from Sweet Grass County

in the 1927 and 1929 sessions. A Democrat and businessman at Melville, McLeod and Big Timber, he once was an auditor for the State Liquor Control Board. He died in Big Timber May 4, 1960, at the age of 71.

WILL H. NORTHEY

Will H. Northey, a retired rancher and real estate salesman, died in Billings, February 10, 1961.

He was born in Blue River, Wisconsin and married Josephine McKinnon in August of 1905 in Wyndmere, North Dakota. They came to the Big Coulee area south of Ryegate in 1909.

Will Northey was elected to the state Legislature from Golden Valley in 1921 where he had served as county assessor for eight years and also as a member of the Ryegate school board.

In 1943 he moved to Billings and became a real estate salesman. He was a member of the First Church of Christ, Scientist and was also a member of the Mother Church in Boston. He was also a member of the Masonic Lodge and a Past Master of the Ryegate Masonic Lodge.

Surviving are the widow, two daughters, Mrs. D. L. Stearns of Minneapolis and Mrs. Alfred Thiel, Seattle, and a sister. Mrs. Janie Baker of Duvall, Washington, and three grandchildren.

JOHN OLIVER

John Oliver at the age of 88 years passed away in Ekalaka in February of 1960.

He was born in Neosha, Missouri and in early childhood was taken to Sonoma County, California where he lived until April of 1880 when his parents moved to Madison County near Virginia City and homesteaded near Ennis, Montana.

John Oliver was educated in Montana, and during his junior year at Wesleyan University, he obtained his teacher's license. He was ordained a Methodist minister in August, 1898, at Anaconda, Montana. His first pastorate was Ekalaka and he served in the communities of Park City, Forsyth and Inston.

In 1904, after the death of his first wife, he married Marie Foster and the survivors of that marriage are three sons and two daughters. Survivors of the first marriage are two sons living in California.

In 1927 he married Amy Rockfort who lives in Ekalaka.

He is known as the Father of Carter County, Montana which he helped organize.

Mr. Oliver served as Fallon County representative on the Progressive Party in 1915 and 1917.

He was a member of the Legislative Committee on Towns and Counties when Carter and Wheatland Counties were created in the Fifteenth General Assembly.

He represented Carter County as its senator in 1923, 1925, 1935 and 1937. He was their House member in 1941, 1943, 1945, 1947 and 1949.

He was a lifelong Republican and at one time was mentioned as a possible candidate for the Republican nomination to the United States Senate.

FRED H. PADBURY

Fred H. Padbury was born at Marysville, attended school there, and graduated from Helena High School and the Denver School of Pharmacy. He operated the Parchen Drug Company for 25 years in Helena.

Fred Padbury served in the House of Representatives from 1935 through 1939 and 1943 through 1947. He served as Lewis and Clark Senator during the 1949 and 1951 sessions.

For a brief time Fred resided at Havre, Fort Benton, and Great Falls. Most of his life was spent in Helena where he was identified with business, political, civic, and social activities. Recently, after the sale of his drug store, he operated a real estate and insurance business.

He died in Tuston, California while visiting at the home of his son, Robert, on January 22, 1961.

Other survivors include his widow, Garnette Oliver Padbury, a daughter, Mrs. Monty Oliver in Seattle, and six grandchildren, a brother, his mother and numerous nephews.

JULIUS M. PETERSON

Julius M. Peterson represented Valley County in the 1935 session. A Democrat, he was in charge of the National Youth Administration programs in Colorado, Idaho, Montana, Utah and Wyoming in 1935-1942. He was secretary-treasurer of the Montana Farmers Union in 1943 and a school principal at Dixon, Nashua and Hinsdale. He died in Great Falls April 10, 1959, at the age of 76.

ROBERT J. PHILLIPS

Robert J. Phillips served six terms in the House from Fergus County in the 1945 through 1957 sessions. A Republican, he was a rancher and a six-year County Commissioner. Phillips died in Lewistown November 15, 1960, at the age of 69.

Bob Phillips was born in Lewistown, Montana in 1891 and was a lifelong resident of Fergus County. He graduated from Fergus County schools and then attended Montana State College and Montana State University.

He married Cora Geary at Lewistown in 1916.

He homesteaded in the South Moccasin Mountains area and was active in both the Brooks and Heath communities where he became a well-known figure. He also served on the local PCA for 1942-1956.

Bob was a member of the Presbyterian Church, Elks Lodge, Masonic Lodge and the Al Bedoo Shrine.

He is survived by his widow Cora, two sons, Samuel and Robert, and daughters Sylvia, Mary and Katherine, and nine grandchildren.

LISLE D. POWELL

Lisle D. Powell was one of four Powder River County ranchers killed in a fiery plane crash near Wilsall July 21, 1959. Republican Powell served in the House in the 1953 through 1959 sessions. A former county commissioner, he was 74 when he died en route home to Biddle from an appearance before the State Highway Commission in Helena.

WILLIAM HARRISON REEDER

William H. Reeder served from Gallatin County in the House in the 1957 and 1959 sessions. The Bozeman farmer-rancher died at Rochester, Minnesota, February 21, 1960, shortly after announcing his candidacy for Democratic nomination to the Montana Railroad and Public Service Commission. He was 55.

Harrison Reeder was born in Browington, Missouri in 1905 and came to Montana as a youth where he received most of his education.

Mr. Reeder was active in the Belgrade Masonic Lodge as well as Algeria Shrine and Eastern Star. He was a member of the Bozeman Elks Lodge and Bozeman Eagles Fraternal Organization.

He had affiliated while in college with Kappa Sigma Fraternity.

He was a lifelong Democrat and represented Gallatin County in four sessions.

Surviving are his widow Grace, a son, Howard of Gallatin Gateway, a daughter, Mrs. Roland Mosher of Augusta, and four grandchildren.

Also surviving are his parents, a brother and two sisters.

HERBERT D. ROLPH

Herbert D. Rolph was Speaker of the House in the 1937 session and assistant speaker in 1935. The only man in Farmers Union history to head branches in three states, he served in the House from the 1929 through 1937 sessions. The Liberty County Democrat was FU president in both Montana and Oregon, then headed the combined Oregon-Washington group. The former national FU vice president died at Portland, Oregon December 2, 1959, at the age of 70.

WILLIAM M. RUFFCORN

William M. Ruffcorn served in the Senate from Valley County in the 1927 through 1931 sessions after House service in the 1923 and 1925 sessions. He was majority floor leader in his final House term. A Republican, he was state relief administrator in 1934-1935. Ruffcorn, a lawyer and ranch and grain elevator operator, died in Rochester, Minnesota, November 18, 1960, at the age of 79.

EDWARD J. SETTLE

Edward J. Settle served in the House from Wheatland County in the 1943, 1945 and 1947 sessions. The longtime Martinsdale area rancher died November 21, 1959, at the age of 67.

GEORGE H. SHANLEY

George H. Shanley served in the House from Cascade County in the 1937 session. A Democrat and longtime president of the State Board of Architectural Examiners, he lived in Kalispell and Butte before moving to Great Falls in 1909. He designed the Civic Center in Butte, Finlen Hotel in Butte and the \$50 million Army Winter Training Camp at Yellowstone Park. Shanley died in Great Falls November 4, 1960, at the age of 85.

JAMES H. STEWART

James H. Stewart served in the House from Meagher County in the 1919 regular and special sessions and in the Senate in the 1921 and 1923 regular and special sessions. The one time rancher near White Sulphur Springs was a member of the Montana Board of Equalization in the mid-1930s. He died December 25, 1959, at West Point, New York, at the age of 89.

EDMOND G. TOOMEY

Edmond G. Toomey served in the House from Lewis and Clark County in the 1935 through 1941 sessions and in the Senate in the 1943 session. A Republican, he was special state counsel for three governors and lawyer for the Railroad-Public Service Commission. The one time chairman of the Montana National Recovery Administration Board was a civilian aide to the Army secretary when he died in Helena September 7, 1960, at the age of 67.

ASA WILLARD

Asa Willard, born in Maryland in 1876, was raised in Missouri. He attended Kirksville State Normal School and after graduation he became interested in cures affected through osteopathy. He attended the School of Osteopathy in Kirksville and graduated in January 1900.

Mr. Willard first located in Dillon, Montana and in 1904 came to Missoula where he practiced his profession until his death in October, 1960, when he passed away.

In 1901 he was appointed by Governor Toole to the State Board of Medical Examiners and was reappointed by Governor Norris and served until 1911. His benevolent work was closely tied to the Masonic Lodge and Mystic Shrine. For many years he served as advisor to the sports department of Montana State University and was planning to attend an evening meeting when he was stricken and passed away.

He married in 1907 and spent his entire married life in Missoula. A lifelong Republican, he represented Missoula County in the 1927, 1929, and 1931 legislative sessions. He is survived by a sister, Mayme Willard.

ARCHIE WILSON

Archie Wilson served in the House from Treasure County in the 1947 through 1955 sessions. A native of Scotland, he had lived in Montana since 1903. He homesteaded east of Hysham in 1908 and was a rancher-stockman. Wilson died in Rochester, Minnesota, August 22, 1960, at the age of 78.

J. HARRY WILSON

Harry Wilson, a resident of Judith Basin County for many years, served as a representative of that county in the 1931 session as well as the 1947 through 1951 sessions.

He was active in the many county projects and gave much of his time to the improvement of his immediate community and county.

"Fast as the rolling seasons bring
The hour of fate to those we love,
Each pearl that leaves the broken string,
Is set in Friendship's crown above,
As narrower grows the earthly chain,
The circle widens in the sky;
These are our treasures that remain.
But those are stars that beam on high."

(Oliver Wendell Holmes)

MEMORIAL PRAYER

(Chaplain I. C. Gronneberg)

Almighty God, with Whom do live the spirits of those who depart hence in the Lord, and with Whom the souls of the faithful, after they are delivered from the burden of the flesh, are in joy and peace: We give Thee hearty thanks for Thy grace bestowed upon Thy servants, who, having finished their course in faith, do now rest from their labors; and we beseech Thee, that we, with all who have departed in the true faith of Thy holy name, may have our perfect consummation and bliss, both in body and soul, in Thy eternal glory.

With gratitude we remember these departed servants of the people of this state and the contribution they made to the welfare of the same.

May the influence of their words and deeds continue to bless those with whom they lived and served. Blessed be their memory.

In Jesus' name, we pray. Amen.

NECROLOGY COMMITTEE:

BESS R. REED, Chairman,
HELEN C. JOHNSON,
THOMAS L. JUDGE,
ANTOINETTE FRASER ROSELL,
WILLIAM E. SPAHR.

CLYDE L. HAWKS, Speaker of the House.

JEROME ANDERSON, Majority Floor Leader.

Committee report adopted. The Speaker thanked the Committee for a task well done.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Higham of Carbon in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders recommend the following:

That House Bill No. 463 be amended in section 3 by striking out lines 10 and 11 of the printed bill in their entirety, which in the original bill is all that matter starting on line 12 on page 2 up to the following words: "other regulatory boards"; and inserting in lieu thereof the words: "Salary of department head, nine thousand dollars.....\$9,000.00. Operation, ninety thousand three hundred seventy-six dollars.....\$90,376.00. Capital, thirty-nine thousand fifteen dollars.....\$39,015.00. Aviation Education Grant, sixteen thousand five hundred dollars.....\$16,500.00. All monies collected annually in the State Aviation Fund in excess of the total annual appropriation shall be expended for the promotion of aviation in Montana by making loans or grants to various municipalities and counties in Montana for the acquisition, development, operation or maintenance of airports, airport facilities or navigational aids and also for acquisition and development of state airports by the State of Montana in the manner and for the purposes provided for in section 1-401 R.C.M. 1947. Expenditures of such funds shall be carried on under rules and regulations set down by the State Aeronautics Commission with the approval of the State Board of Examiners";

Further amend in section 4 by striking out lines 11 and 12 of the printed bill, page 3 in their entirety, which is line 13, page 3 of the original bill, and inserting in lieu thereof the words: "Salary of Department Head, nine thousand dollars.....\$9,000.00. Operation, ninety-four thousand six hundred ninety-two dollars.....\$94,692.00. Capital, forty-one thousand five hundred thirty-two dollars.....\$41,532.00. Aviation Education Grant, sixteen thousand five hundred dollars.....\$16,500.00. All monies collected annually in the State Aviation Fund in excess of the total annual appropriation shall be expended for the promotion of aviation in Montana by making loans or grants to various municipalities and counties in Montana for the acquisition, development, operation or maintenance of airports, airport facilities or navigational aids and also for acquisition and development of state airports by the State of Montana in the manner and for the purposes provided for in section 1-401 R.C.M. 1947. Expenditures of such funds shall be carried on under rules and

regulations set down by the State Aeronautics Commission with the approval of the State Board of Examiners" and as so amended, do pass.

HIGHAM, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

Substitute House Bill No. 312 introduced by Committee on Public Health, Welfare and Safety.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

The Senate, this day, failed to adopt the Joint Conference Committee Report on Senate amendments to House Bill No. 116, and on motion the President was requested to appoint a new Conference Committee from the Senate, and requested that a like House Conference Committee be appointed by the Speaker.

The following Conference Committee from the Senate has been appointed:

CUMMING, Chairman,
McKEON,
ANDERSON.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Substitute for Senate Bill 118 and House Substitute for Senate Bill 78. The President was requested to appoint a Conference Committee of three to consider each bill and requested that a like House Committee be appointed by the Speaker to confer on House Substitute for Senate Bill 118 and House Substitute for Senate Bill 78.

The following Conference Committees from the Senate have been appointed:

House Substitute for SB 78

GROFF, Chairman,
McGOWAN,
BRENNER.

House Substitute for SB 118

JAMES, Chairman,
COTTON,
SHAW.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONFERENCE COMMITTEE APPOINTMENTS

The following Conference Committee appointments were made by the Speaker:

To confer on Senate Amendments to House Bill No. 116: Goan, Schye, Regan.

To confer on House Sub. for Senate Bill No. 118: Kolar, Kvaalen, Hanks.

To confer on House Substitute for Senate Bill No. 78: Haughey, Lord, Stranahan.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 7

Introduced by Page, Nelstead, Hilling, Dykstra, Johnson, Schye, Stearns, Crum, Broeder, Loman, Gustafson, Stranahan.

A Resolution of the House of Representatives of the State of Montana to the State Board of Examiners for the transfer to the general fund of monies in the veterans' compensation fund which will escheat to the state upon the expiration of the time for filing claims under the provisions of Initiative Measure No. 54, as amended.

WHEREAS, under the provisions of Initiative Measure No. 54, as amended, limited obligation bonds of the State of Montana in the sum of twenty-eight million dollars (\$28,000,000.00) were sold to provide for the payment of an honorarium to Montana World War II and Korean War veterans; and,

WHEREAS, the time for filing claims for said honorarium will expire in July, 1961; and

WHEREAS, it appears that after payment of all honorariums authorized by said initiative and the expense of administering same, a surplus will exist in the fund created by said initiative; and

WHEREAS, under existing law, the said surplus will escheat to the state upon the expiration of the time for filing claims for said honorarium.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the 37th Legislative Assembly that the State Board of Examiners shall, on the first day of August, 1961, determine the amount of money required to pay all lawful claims against the Veterans' Compensation Fund for honorariums and administrative expenses. Thereafter, the said Board of Examiners shall require the Director of the Adjusted Compensation Division to report to the Board of Examiners on the status of all unpaid claims for honorariums against the Veterans' Compensation Fund and the estimated expense of administering such claims. Upon making said determination, the Board of Examiners shall notify the State Treasurer of the amount determined to be required to pay all lawful claims against the Veterans' Compensation Fund and shall order the State Treasurer to transfer all monies in the Veterans Compensation Fund in excess of said amount to the General Fund.

Motion was made by Page for adoption of the Resolution. Substitute motion was made by Cerovski that House Resolution No. 7 be referred to the Committee on Rules and Journal. Substitute motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 8

Introduced by Dykstra, Page, Haines.

A Resolution of the House of Representatives of the State of Montana to the treasurer of the State of Montana for the transfer of interest earned on monies deposited in the war veterans compensation bond retirement fund, the war veterans compensation bond retirement fund No. 2 and the veterans honorarium interest and sinking fund to the general fund of the State of Montana.

WHEREAS, monies contained in the War Veterans Compensation Bond Retirement Fund Account No. 118, the War Veterans Compensation Bond Retirement Fund No. 2, Account No. 387-41, the Veterans Honorarium Interest and Sinking Fund, Account No. 387-15, have been deposited by officials of the State of Montana in banks or have been invested in interest earning securities as provided for in chapter 3 of title 79 of the Revised Codes of Montana, 1947; and

WHEREAS, as a result of said deposits and investment there now exists in said accounts as interest earned the following amounts:

Account No. 118

The War Veterans Compensation Bond Retirement Fund\$ 41,669.45

Account No. 387-41

The War Veterans Compensation Bond Retirement Fund

No. 2\$ 9,843.75

Account No. 387-15

The Veterans Honorarium Interest and Sinking Fund.....\$593,888.02

WHEREAS, under the provisions of chapter 3, title 79, Revised Codes of Montana, 1947, all interest paid and collected should be credited to the General Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of the State of Montana in accordance with the provisions of chapter 3, title 79, Revised Codes of Montana, 1947, transfer from said accounts to the General Fund the amounts of money contained therein representing interest earned as indicated hereinabove.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution be delivered to the Treasurer of the State of Montana.

Motion was made by Dykstra for adoption of the Resolution. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 9

Introduced by Anderson (Yellowstone), Daniels.

A Resolution of the House of Representatives of the State of Montana requesting the Governor of Montana to appoint a "Montana Territorial Centennial Commission."

WHEREAS, on May 26, 1864, President Lincoln signed the congressional act creating the Montana Territory, and

WHEREAS, in the year 1964, 100 years of territorial government and statehood will have elapsed, and

WHEREAS, it is fitting and proper that this notable centennial should be observed and celebrated in the year 1964.

Now, therefore, be it resolved by the House of Representatives of the State of Montana:

That the Governor of Montana is requested to create and appoint a commission to be known as the "Montana Territorial Centennial Commission" to consist of the President Pro Tem and Majority Leader of the Senate, President ad interim of the Senate, assistant Majority Leader of the Senate and Minority Leader of the Senate, Speaker of the House, Speaker Pro Tem of the House, Majority floor leader and Minority leader of the House and 30 other members to be appointed by the Governor.

BE IT FURTHER RESOLVED, that said commission make plans for the proper observance and celebration of said centennial and to execute and carry out such plans.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House be instructed to send a copy of this Resolution to the Governor of Montana.

Motion was made by Anderson (Yellowstone) that the Resolution be adopted. Motion carried.

The following Resolution was read:

HOUSE RESOLUTION NO. 10

Introduced by Picard.

A Resolution of the House of Representatives of the State of Montana to the Governor of the State of Montana, the Lieutenant Governor of the State of Montana, the Attorney General of the State of Montana, the Secretary of State of the State of Montana, the Montana Liquor Control Board and the administrator of the Montana Liquor Control Board, requesting certain policies, practices and regulations of the Liquor Control Board and its administrator be made in conformance with the Montana Liquor Control Act and the best interests of the taxpayers of the State of Montana, and requesting action be taken to correct (1) the excessive expenditures being made by the Liquor Control Board for new facilities and lavish state liquor stores when changes in location are made; (2) the expense of retaining a public relations firm or agency to promote the purposes and proceedings of the Montana Liquor Control Board; (3) the use of liquor revenue for the purpose of promoting legislation pertaining to the powers and conduct of the Montana Liquor Board and the state liquor administrator; (4) the assumption of powers and duties by the Montana Liquor Control Board not specifically conferred upon it by the Legislative Assembly of the State of Montana; (5) the stocking, handling and selling of certain wines in state liquor stores not having the official seal as prescribed by law; (6) the lack of enforcement of the provisions of title 4, Revised Codes of Montana, 1947, relating to private, social and fraternal organizations having a Montana Liquor Control Board license, by requiring that use of the premises be confined to members and guests only; (7) the policy of the Montana Liquor Control Board regarding issuances of licenses in areas where there is a sudden influx of population due to temporary conditions.

WHEREAS, it appears that the Montana Liquor Control Commission is making excessive expenditures in store locations and relocations and also in certain methods of displaying merchandise, it is requested that prompt action be taken to eliminate such excessive expenditures; and

WHEREAS, it manifestly appears that the expense involved in retaining a public relations firm or agency to promote the purposes of the State Liquor Control Board does not constitute an expenditure within the purview of title 4 of the Revised Codes of Montana, 1947; and

WHEREAS, it manifestly appears that the Montana Liquor Control Board and State Liquor Administrator are using liquor revenue for the purposes of promoting legislation in the Thirty-seventh Legislative Assem-

bly in the State of Montana and that such expenditures are unwise use of said revenue; and

WHEREAS, it further appears that in adopting rules and regulations promulgated under title 4, Revised Codes of Montana, 1947, the Montana Liquor Control Board has capriciously and arbitrarily assumed certain powers and duties not conferred upon it by the Legislative Assembly of the State of Montana; and

WHEREAS, it further appears that the Montana Liquor Control Board and the administrator thereof have been grossly negligent in permitting the selling, stocking, and handling of certain wines in state liquor stores and also retail establishments, which wine containers do not have affixed thereto the official seal which the Montana Liquor Control Board has prescribed; and

WHEREAS, it manifestly appears that there is a definite lack of enforcement of the provisions of title 4, Revised Codes of Montana, 1947, requiring that patrons of private, social and fraternal organizations, which are Montana Liquor Control Board licensees, be patronized by members and guests only; and

WHEREAS, there should be a uniform policy established by the Montana Liquor Control Board pertaining to the issuance of licenses in areas which have a sudden influx of population due to conditions and circumstances which are by their very nature only temporary;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Montana that the Montana Liquor Control Board and the state liquor control administrator are urged to take such further action and proceedings, including the adoption, promulgation and supervision of appropriate regulations as may be expedient and proper for the effectuation of the purposes of this resolution.

AND BE IT FURTHER RESOLVED that in the event the Montana Liquor Control Board and the state liquor control administrator do not take such action, then the legislative council is hereby requested to study and recommend for the Thirty-eighth Legislative Assembly any recommendations or legislation that may be necessary or required to properly accomplish the purposes of this resolution.

Motion was made by Picard that the Resolution be adopted. Substitute motion was made by Anderson (Yellowstone) that the Resolution be referred to the Judiciary Committee. Substitute motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length and referred to the Appropriations Committee:

House Bill No. 467, introduced by Page, Nelstead, Hilling, Crum, Loman, Stranahan, Johnson, Schye, Stearns, Broeder, Gustafson: A bill for an act entitled: "An act to appropriate money to the director of the budget to finance a study of expenditures of state agencies."

The Speaker signed the following Senate Bills in open session, the titles having first been read: 96, 205, 182 and Substitute Senate Bill No. 166.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following House bills correctly enrolled: Sub. House Bills 401 and 435, 27, 118, 176, 273, 310, 218, 348, 26, 242, Senate Sub. for House Bill 212, House Joint Memorial No. 14, and House Bills 201, 361.

REED, Chairman.

I have examined House Bill No. 242 introduced by me and find the same to be correct.

DANIELS.

I have examined Senate Sub. for House Bill No. 212 introduced by me and find the same to be correct.

LOMAN.

I have examined House Bill No. 26 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Joint Memorial No. 14 introduced by me and find the same to be correct.

BARNARD.

I have examined House Bill No. 361 introduced by me and find the same to be correct.

DANIELS.

I have examined House Bill No. 201 introduced by me and find the same to be correct.

HAWKS.

I have examined House Bill No. 273 introduced by me and find the same to be correct.

PICARD.

I have examined Sub. House Bill No. 310 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 348 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 218 introduced by me and find the same to be correct.

SCHWINDEN.

I have examined House Bill No. 27 introduced by me and find the same to be correct.

HAUGHEY.

I have examined House Bill No. 118 introduced by me and find the same to be correct.

ETCHART.

I have examined House Bill No. 176 introduced by me and find the same to be correct.

ESKILDSEN.

I have examined Sub. House Bill No. 401 introduced by me and find the same to be correct.

BROEDER.

I have examined Sub. House Bill No. 435 introduced by me and find the same to be correct.

REED.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 242, 26, 361, 201, 273, 348, 218, 27, 118, 176, Sub. House Bills Nos. 310, 401, 435, Senate Sub. for House Bill 212, House Joint Memorial No. 14.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 463.

REED, Chairman.

THIRD READING OF HOUSE BILLS

House Bill No. 463, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Conklin, Crum, Daniels, Dykstra, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Mineral), Jensen (Lake), Judge, Keller, Kolar, Laas, Leuthold, Lewis, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Regan, Rygg, Schwinden, Schye, Seymour, Shelden, Spahr, Spilde, Stearns, Stimatz, Stranahan, Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 82.

Noes: Edwards, Haughey, Hilling, Kvaalen, Rosell, Smith. Total 6.

Absent or not voting: Coulter, Johnson, Sullivan (Deer Lodge). Total 3.

Excused: Mernin, Nichols, Reinecke. Total 3.

Motion was made by Anderson (Yellowstone) that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee, requested to reconsider the report of March 1, 1961, on Senate Amendments to House Amendments to Senate Substitute for Senate Bill 84 respectfully report and recommend as follows:

That in lieu of the March 1, 1961 conference report we recommend that the Senate accede to the House amendments and that Senate Substitute for Senate Bill 84 be further amended as follows:

Amend House Committee on Townships and Counties amendments dated February 17, 1961.

Amend in the title, line 8 of the original bill, being line 6 of the printed bill by striking after the colon, the words and figures "thirty per centum (30%)" and inserting in lieu thereof, "fifty per centum (50%)";

Further amend section 1, line 22, page 1 of the original bill being line 6 of page 1 of the printed bill by striking after the colon "thirty per centum (30%)" and inserting in lieu thereof "fifty per centum (50%)";

And further amend House Committee of the Whole amendments dated February 23, 1961, section 1 in the new material after the words "signed by" and striking the words and figures "thirty per centum (30%)" and inserting in lieu thereof the words and figures "fifty per centum (50%)";

And as so amended, do pass.

For the Senate:

McKENNA (Fergus),
HAUK,
BRENNER.

For the House:

KOLAR,
KVAALEN,
SPAHR.

Motion was made by Kolar for adoption of the committee report.
Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Thompson, Twedt, Wayrynen, Wright, Mr. Speaker. Total 80.

Noes: Lombardi, Stimatz. Total 2.

Absent or not voting: Bashor, Conklin, Coulter, Healy, Higham, Murray, Nelstead, Stearns, Weeks. Total 9.

Excused: Lewis, Mernin, Reinecke. Total 3.

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee to consider Senate amendments to House Bill No. 116, respectfully report as follows:

That the Senate recede from its amendments to House Bill No. 116 and return it to its original form;

And as such, House Bill No. 116 be concurred in.

For the Senate:

CUMMING,
ANDERSON.
McKEON.

For the House:

GOAN,
SCHYE,
REGAN.

Motion was made by Goan for adoption of the Committee report.
Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Blewett, Bradford, Broeder, Bush, Crum, Dykstra, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Keller, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Page, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 59.

Noes: Aasheim, Abel, Bardanouve, Barnard, Brenner, Burrell, Cerovski, Edwards, Emmons, Harper, Healy, Judge, Laas, Lombardi, McOmber, Moudree, Picard, Raundal, Schwinden, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Twedt, Wayrynen. Total 25.

Paired: Conklin, aye; Nichols, no.

Absent or not voting: Coulter, Daniels, Hanks, Kolar, Stearns. Total 5.

Excused: Lewis, Mernin, Reinecke. Total 3.

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee appointed to consider Senate Amendments to House Substitute for Senate Bill 78, respectfully report and recommend as follows:

That the Senate and House accede to all Senate Amendments adopted March 1, 1961, by the Senate Committee on Irrigation and Water to House Substitute for Senate Bill No. 78.

For the Senate:

GROFF,
McGOWAN,
BRENNER.

For the House:

HAUGHEY,
LORD,
STRANAHAN.

Motion was made by Haughey for adoption of the committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Mineral), Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lombardi, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stimatz, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Conklin, Coulter, Daniels, Laas, Stearns, Thompson. Total 6.

Excused: Lewis, Mernin, Reinecke. Total 3.

MESSAGES FROM THE GOVERNOR AND SENATE

March 2, 1961

Hon. Clyde L. Hawks, Speaker,
House of Representatives.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 238—Introduced by Daniels.

House Bill No. 130—Introduced by Hall, Falkenstern and Stearns.

House Bill No. 236—Introduced by Daniels.

House Bill No. 237—Introduced by Daniels.

House Bill No. 447—Introduced by Schye, Laas, Healy, Asbjornson and Moudree.

House Bill No. 264—Introduced by Wayrynen, Pierce, Seymour, Emmons, Bush et al.

House Bill No. 241—Introduced by Anderson (Yellowstone), Daniels, Harper, Goan and Thompson.

House Bill No. 239—Introduced by Daniels.

House Bill No. 376—Introduced by Anderson (Yellowstone).

House Bill No. 320—Introduced by Edwards.

House Bill No. 159—Introduced by Seymour and Cerovski.

House Bill No. 206—Introduced by Bardanouve, Nichols and Eskildsen.

Sincerely,

DONALD G. NUTTER,
Governor.

March 1, 1961

Hon. Clyde L. Hawks, Speaker,
House of Representatives.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 28—Introduced by Leuthold and Aasheim.

House Bill No. 181—Introduced by Keller, Shelden, Haines and Judge.

House Bill No. 193—Introduced by Picard.

House Bill No. 215—Introduced by Keller, Shelden, Stimatz and Higham.

House Bill No. 177—Introduced by Beam.

Sincerely,

DONALD G. NUTTER,
Governor.

March 2, 1961

Hon. Clyde L. Hawks, Speaker,
House of Representatives.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 393—Introduced by Hazelbaker and Asbjornson.

House Bill No. 271—Introduced by Dykstra (by request).

House Bill No. 367—Introduced by Reed, Anderson (Yellowstone), Johnson, et al.

House Bill No. 448—Introduced by Nichols.

House Bill No. 446—Introduced by Nichols.

House Bill No. 255—Introduced by Kolar and Haughey.

House Bill No. 98—Introduced by Seymour. McOmber and Lundgren.

House Bill No. 97—Introduced by Seymour. McOmber and Lundgren.

House Bill No. 394—Introduced by Hazelbaker and Asbjornson.

Sub. House Bill No. 282—Introduced by Livestock and Ranges Committee.

Sub. House Bill No. 297—Introduced by Committee on Education.

Sincerely,

DONALD G. NUTTER,
Governor.

March 2, 1961

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee reports on:

House Amendments to Senate Bill No. 181.

House Amendments to Senate Bill No. 137.

Senate Amendments to House Bill No. 95.

Senate Amendments to House Bill No. 37.

Senate Substitute for Substitute House Bill No. 134.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 206 introduced by Durkee and Hibbs was this day read third time and passed, title and history agreed to and is herewith transmitted to the House for concurrence.

The Senate this day temporarily suspended Joint Rules No. 22 for the purpose of transmitting Senate Bill No. 206 to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House suspend Joint Rule No. 22 for the purpose of receiving Senate Bill No. 206. Motion carried.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Substitute House Bill No. 65, Senate Substitute for Substitute House Bill No. 134 and Senate Substitute for Substitute House Bill No. 400.

REED, Chairman.

I have examined Substitute House Bill No. 65 introduced by me and find the same to be correct.

HAUGHEY.

I have examined Senate Substitute for Substitute House Bill No. 134 introduced by me and find the same to be correct.

HAUGHEY.

I have examined Senate Substitute for Substitute House Bill No. 400 introduced by me and find the same to be correct.

WRIGHT.

The Speaker signed the following bills in open session, the titles having first been read: Substitute House Bill No. 65, and Senate Substitutes for Substitute House Bills Nos. 134 and 400.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 450 introduced by Adams and Nichols.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 455 introduced by Abel et al.

House Bill No. 453 introduced by Hazelbaker et al.

House Bill No. 464 introduced by Bardanouve et al.

House Bill No. 466 introduced by Rygg et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee reports on:

Senate Amendments to House Substitute for Senate Bill No. 78.

House Amendments to Substitute Senate Bill No. 84.

Senate Amendments to House Bill No. 116.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 9 introduced by Manning was this day read third time and passed, title and history agreed to and is herewith transmitted to the House for concurrence.

The Senate this day temporarily suspended Joint Rules No. 22 for the purpose of transmitting Senate Joint Resolution No. 9 to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House suspend Joint Rule No. 22 for the purpose of receiving Senate Joint Resolution No. 9. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times. and referred to the Committee on State Administration:

Senate Bill No. 206, introduced by Durkee, Hibbs: A bill for an act entitled: "An act relating to union labels on printing for which the State of Montana is chargeable; amending section 82-1137, Revised Codes of Montana, 1947, to require that such printing shall bear the label of the appropriate union involved in the method of printing adopted."

Senate Joint Resolution No. 9, introduced by Manning: A Joint Resolution of the Senate and the House of Representatives of the Thirty-seventh Legislative Assembly of the State of Montana, requesting and directing the State Board of Equalization of the State of Montana to be prepared with proper supplies and wiring panels for its electronic business machines to submit each day to the Thirty-eighth Legislative Assembly of the State of Montana during the period of introduction of bills of said Assembly a continuing cumulative master sheet stencil, listing upon introduction, by number, each Senate and House bill that proposes amendments to, and repeals of, existing statutes and session laws, and indicating in numerical order opposite each such listed bill the pertaining section or sections of the Revised Codes of Montana, 1947, and all amendments and repeals thereto; directing the secretary of the senate to transmit a copy of this resolution to the appointed members of the Montana State Board of Equalization prior to the adjournment sine die of the Thirty-seventh Legislative Assembly.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business on General Orders. Motion carried.

Higham of Carbon in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 450 be concurred in.

HIGHAM, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 450, having been read, were concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson

(Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Burrell, Bush, Cerovski, Crum, Daniels, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Haines, Hall, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Melcher, Moudree, Murray, Nelstead, Nichols, Picard, Pierce, Raundal, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Mr. Speaker. Total 79.

Noes: Gustafson, Wright. Total 2.

Absent or not voting: Conklin, Coulter, Eskildsen, Jensen (Mineral), Lombardi, Page, Reed, Spahr, Stimatz, Teigen. Total 10.

Excused: Lewis, Mernin, Reinecke. Total 3.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee, having had under consideration House Substitute for Senate Bill No. 118, respectfully report and recommend as follows:

That this joint conference committee be discharged, and that no further conference committee be appointed.

For the Senate:

JAMES,
COTTON,
SHAW.

For the House:

KOLAR,
KVAALEN,
HANKS.

Motion was made by Kolar for adoption of the conference committee report. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Bradford, Brenner, Broeder, Crum, Dykstra, Edwards, Emmons, Etchart, Falkenstern, Goan, Gustafson, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Lord, Lucas, Lundgren, Mathers, Nichols, Pierce, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Aasheim, Abel, Bardanouve, Eskildsen, Harper, Jensen (Lake), Loman, McOmber, Page, Picard, Shelden, Wayrynen. Total 12.

Absent or not voting: Cerovski, Conklin, Coulter, Daniels, Hilling, Lombardi, Moudree, Murray, Nelstead, Raundal, Seymour, Stimatz, Teigen, Twedt. Total 14.

Excused: Blewett, Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 10.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed by the Employment Committee of the House be dropped from the payroll effective as of March 3, 1961:

Henry I. Flato.....	Mail Clerk
Jennie H. Lee.....	Mail Clerk
Marie B. Majhor.....	Mail Clerk
Myrtle O'Leary.....	Mail Clerk

Effective as of close of business March 4, 1961:

C. Lee Donaldson Hoatson.....	Mail Clerk
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HAZELBAKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 9, respectfully report as follows: That Senate Joint Resolution No. 9 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 206, respectfully report as follows: That Senate Bill No. 206 be concurred in.

WRIGHT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 10, respectfully report as follows: That House Resolution No. 10 be not adopted, but that Substitute House Resolution No. 10, introduced by the Committee on Judiciary, be adopted.

HAUGHEY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 459 introduced by Mathers and Adams.

House Bill No. 458 introduced by Rygg, Hibbard and Regan.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following Substitute Resolution was read:

SUBSTITUTE HOUSE RESOLUTION NO. 10

Introduced by Committee on Judiciary.

WHEREAS, it appears that expense involved in retaining a public relations firm or agency to promote the purposes of the State Liquor Control Board does not constitute an expenditure within the purview of title 4 of the Revised Codes of Montana, 1947; and

WHEREAS, it further appears that in adopting rules and regulations promulgated under title 4, Revised Codes of Montana, 1947, the Montana Liquor Control Board has assumed certain powers and duties not conferred upon it by the legislative assembly of the State of Montana in permitting the selling, stocking, and handling of certain wines in state liquor stores and also retail establishments, in wine containers which do not have affixed thereto the official seal which the Montana Liquor Control Board has prescribed; and

WHEREAS, it is the sense of the House of Representatives that the legislative intent of sections 4-333 and 4-403, Revised Codes of Montana, 1947, both as amended, which provide for the issuance of retail beer and liquor licenses to certain veterans' and fraternal organizations, is to prohibit the sale of liquor and beer by organizations so licensed to persons other than their members and the bona fide invited guests of such members;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Montana that the Montana Liquor Control Board and the state liquor control administrator are urged to take such further action and proceedings, including the adoption, promulgation and supervision of appropriate regulations as may be expedient and proper for the effectuation of the purposes of this resolution.

BE IT FURTHER RESOLVED that copies of this resolution be delivered to the Governor of the State of Montana, the Attorney General of the State of Montana, the Montana Liquor Control Board and the administrator of the Montana Liquor Control Board.

Motion was made by Haughey for adoption of the Substitute Resolution. Motion carried.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 37, 116.

REED, Chairman.

I have examined House Bill No. 37 introduced by me and find the same to be correct.

ANDERSON (Yellowstone).

I have examined House Bill No. 116 introduced by me and find the same to be correct.

SCHYE.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 37 and 116.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 453, 455, 464, 466, and Substitute House Bill No. 312.

REED, Chairman.

I have examined House Bill No. 445 introduced by me and find the same to be correct.

ABEL.

I have examined House Bill No. 453 introduced by me and find the same to be correct.

HAZELBAKER.

I have examined Substitute House Bill No. 312 introduced by me and find the same to be correct.

KELLER.

I have examined House Bill No. 464 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 466 introduced by me and find the same to be correct.

RYGG.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 453, 455, 464, 466 and Substitute House Bill No. 312.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 459 be concurred in.

That Senate Amendments to House Bill No. 458 be not concurred in, but that the Speaker appoint a Conference Committee of three members, and request a like committee of the Senate.

JUDGE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

The Senate this day, on motion, adopted the Joint Conference Committee report on House Substitute for Senate Bill No. 118.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 454 introduced by Adams.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 460 introduced by Nichols.

House Bill No. 463 introduced by Nichols.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 458. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 458: Rygg, Hibbard, Regan.

Motion was made by Anderson (Yellowstone) that the House recess, subject to the Call of the Chair. Motion carried.

House resumed.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee, having had under consideration Substitute House Bill No. 257, respectfully report and recommend as follows:

That this Joint Conference Committee be discharged, and that no further conference committee be appointed.

For the Senate:

CUMMING,
MAHONEY,
ULLOM.

For the House:

BROEDER,
REGAN,
BLEWETT.

Motion was made by Broeder for the adoption of the committee report. Report adopted by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Cerovski, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, McOmber, Murray, Nichols, Page, Picard, Pierce, Regan, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 68.

Noes: None.

Absent or not voting: Barnard, Conklin, Coulter, Emmons, Gustafson, Hibbard, Lombardi, Mathers, Moudree, Nelstead, Raundal, Reed, Rygg, Shelden, Stearns, Stimatz. Teigen. Total 17.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 467, respectfully report as follows: That House Bill No. 467 be reported out of committee without recommendation.

NICHOLS, Chairman.

Motion was made by Nichols for adoption of the Committee report.

Substitute motion was made by Page that House Bill No. 467 be printed and placed on General Orders. Page requested a roll call vote on the substitute motion, with the results thereof recorded in the Journal. Sufficient seconds arose and the substitute motion failed to carry by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Bardanouve, Bashor, Cerovski, Crum, Falkenstern, Goan, Hazelbaker, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Kvaalen, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Reed, Schye, Smith, Stearns, Stranahan, Swanz, Thompson. Total 33.

Noes: Abel, Asbjornson, Baldwin, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Hanks, Harper, Haughey, Healy, Judge, Keller, Kolar, Laas, Leuthold, McOmber, Pierce, Raundal, Regan, Rosell, Rygg, Schwinden, Seymour, Shelden, Spahr, Spilde, Sullivan (Deer Lodge), Sullivan (Silver Bow), Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 42.

Absent or not voting: Conklin, Coulter, Emmons, Gustafson, Hibbard, Lombardi, Moudree, Picard, Stimatz, Teigen. Total 10.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

Substitute motion was made by McOmber that House Bill No. 467 be indefinitely postponed. Substitute motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Joint Resolution No. 9 be concurred in.

That Senate Bill No. 206 be concurred in.

That Senate Amendments to House Bill No. 454 be not concurred in, but that the Speaker appoint a conference committee of three members to confer with a like committee requested of the Senate.

JUDGE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a Conference Committee of three members to confer with a like Committee requested of the Senate on Senate Amendments to House Bill No. 454. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following conference committee to consider Senate Amendments to House Bill No. 454: Adams, Keller, Bardanouve.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 9 was concurred in by the following vote:

Ayes: Aasheim, Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Cerovski, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, McOmber, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 72.

Noes: None.

Absent or not voting: Conklin, Coulter, Hazelbaker, Hibbard, Lombardi, Mathers, Moudree, Regan, Rygg, Shelden, Stimatz, Teigen. Total 12.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Nichols, Reinecke. Total 10.

Senate Bill No. 206 was concurred in by the following vote:

Ayes: Aasheim, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Brenner, Broeder, Crum, Daniels, Edwards, Etchart, Falkenstern, Goan, Gustafson, Hanks, Haughey, Higham, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Leuthold, Lord, Lucas, Lundgren, McOmber, Page, Pierce, Raundal, Reed, Rosell, Schwinden, Schye, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 52.

Noes: Abel, Bardanouve, Bradford, Dykstra, Emmons, Eskildsen, Harper, Healy, Judge, Laas, Loman, Murray, Nelstead, Picard, Seymour, Sullivan (Deer Lodge), Twedt, Wayrynen. Total 18.

Absent or not voting: Cerovski, Conklin, Coulter, Hazelbaker, Hibbard, Hilling, Lombardi, Mathers, Moudree, Regan, Rygg, Shelden, Stimatz, Teigen. Total 14.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Nichols, Reinecke. Total 10.

THIRD READING OF HOUSE BILLS

The following amendments were read and disposed of in the following manner:

Senate Amendments to House Bill No. 459 were concurred in by the following vote:

Ayes: Abel, Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Broeder, Cerovski, Crum, Daniels, Dykstra, Edwards, Emmons, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, McOmber, Murray, Nelstead, Page, Picard, Pierce, Raundal, Reed, Rosell, Schwinden, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 71.

Noes: None.

Absent or not voting: Aasheim, Conklin, Coulter, Hazelbaker, Hibbard, Lombardi, Mathers, Moudree, Regan, Rygg, Shelden, Stimatz, Teigen. Total 13.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Nichols, Reinecke. Total 10.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

The Senate, on motion, requested the President to appoint a Conference Committee of three to meet with a like committee from the House on Senate Amendments to House Bill 458. The President named the following members of the Committee:

GROFF, Chairman,
ANDERSON,
GRAHAM.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate, on motion, adopted the Joint Conference Committee report on Substitute House Bill No. 257.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

LEGISLATIVE COUNCIL APPOINTMENT

The Speaker appointed the following members to the Legislative Council: Blewett, Hibbard, Lord, Gustafson, Melcher, Sullivan (Silver Bow).

March 2, 1961

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 348, 273, 218, 361, 201, 26, 242, 27, 118, 176, Substitute 310, Substitute 401, Substitute 435, Senate Substitute for House Bill 212, and House Joint Memorial No. 14, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:45 p. m. delivered to the Governor for his approval.

REED, Chairman.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion the President was requested to appoint a Conference Committee of three Senators to confer with a like Committee from the House on Senate Amendments to House Bill No. 454. The President appointed the following members to serve on this committee:

Senate Amendments to House Bill 454—

KELLER, Chairman,
LEHRKIND,
O'NEILL.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 456 introduced by Goan et al.

House Bill No. 465 introduced by Haines et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

Substitute House Bill No. 373 introduced by Committee on Appropriations.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Conference Committee on Senate Amendments to House Bill 458, respectfully report that we have made no progress and request the chair to appoint a new Conference Committee.

For the Senate:

GROFF,
GRAHAM,
ANDERSON.

For the House:

RYGG,
HIBBARD,
REGAN.

Motion was made by Rygg for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Beam, Bentz, Blewett, Bradford, Brenner, Cerovski, Crum, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Picard, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 67.

Noes: None.

Absent or not voting: Aasheim, Abel, Adams, Bardanouve, Bashor, Broeder, Conklin, Coulter, Daniels, Emmons, Keller, Lombardi, Moudree, Raundal, Schwinden, Shelden, Stimatz, Teigen. Total 18.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a new Conference Committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 458. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following new Conference Committee to confer with a Senate committee on Senate Amendments to House Bill No. 458: Rygg, Hibbard and Gustafson.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business on General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 456 be concurred in.

That Senate Amendments to House Bill No. 465 be concurred in.

JUDGE, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following amendments to House Bills were read and disposed of in the following manner:

Senate Amendments to House Bill No. 456 were concurred in by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Bashor, Beam, Bentz, Blewett, Bradford, Brenner, Cer-

ovski, Crum, Daniels, Dykstra, Edwards, Eskildsen, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Page, Picard, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 72.

Noes: None.

Absent or not voting: Aasheim, Abel, Adams, Bardanouve, Broeder, Conklin, Coulter, Emmons, Keller, Lombardi, Moudree, Stimatz, Teigen. Total 13.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

Senate Amendments to House Bill No. 465 were concurred in by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Baldwin, Barnard, Bashor, Bentz, Blewett, Bradford, Brenner, Cerovski, Daniels, Dykstra, Eskildsen, Etchart, Falkenstern, Hanks, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Kolar, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Nelstead, Nichols, Page, Picard, Raundal, Regan, Rygg, Schwinden, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 58.

Noes: Asbjornson, Beam, Crum, Edwards, Goan, Gustafson, Harper, Haughey, Kvaalen, Murray, Pierce, Rosell, Schye. Total 13.

Absent or not voting: Aasheim, Abel, Adams, Bardanouve, Broeder, Conklin, Coulter, Emmons, Keller, Lombardi, Moudree, Reed, Stimatz, Teigen. Total 14.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Memorial No. 12 and House Bill No. 450.

REED, Chairman.

I have examined House Joint Memorial No. 12 introduced by me and find the same to be correct.

LOMAN.

I have examined House Bill No. 450 introduced by me and find the same to be correct.

ADAMS.

The Speaker signed the following bills in open session, the titles having first been read: House Joint Memorial No. 12 and House Bill No. 450.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee to consider Senate Amendments to House Bill No. 458, respectfully report as follows:

That we have made no progress and request the Chair to appoint a new conference committee.

For the Senate:

CARNEY,
THIESSEN,
ANDERSON.

For the House:

RYGG,
HIBBARD,
GUSTAFSON.

Motion was made by Rygg that the Conference Committee report be adopted. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Crum, Dykstra, Edwards, Etchart, Falkenstein, Goan, Gustafson, Hanks, Harper, Haughey, Hingham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nichols, Pierce, Reed, Regan, Rosell, Seymour, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 51.

Noes: Bardanouve, Barnard, McOmber, Schwinden, Twedt. Total 5.

Absent or not voting: Aasheim, Abel, Bashor, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hazelbaker, Healy, Hibbard, Judge, Kvaalen, Lombardi, Moudree, Nelsetad, Page, Picard, Raundal, Rygg, Schye, Shelden, Stimatz, Sullivan (Deer Lodge), Teigen, Wayrynen. Total 29.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 454, respectfully recommend as follows:

That House Bill No. 454 be amended by striking on page 5, section 3, lines 5 and 6 of the original bill, being page 5, section 3, lines 87 and 88 of the printed bill, the following words and figures: "one hundred five thousand seven hundred seven dollars.....\$105,707.00"; and by inserting in lieu thereof the following words and figures: "one hundred eleven thousand seven hundred seven dollars.....\$111,707.00";

That the following Senate amendment be acceded to: By inserting on page 5, section 3, line 20 of the original bill, being section 3, in line 99 of the printed bill, following the word "welfare" the following word: "commission";

That the following Senate amendment be acceded to: By inserting on page 5, section 3, between lines 29 and 30 of the original bill, being page 5, section 3, between lines 107 and 108 of the printed bill, the following words and figures:

"ADJUSTED COMPENSATION DIVISION

FROM THE VETERANS' COMPENSATION FUND

As much as may be necessary to pay all lawful claims as provided by law."

That the Senate recede from Senate amendments, on page 6, section 3, lines 1 and 2 of the original bill, being section 3, lines 111 and 112 of the printed bill, and said amendments be stricken.

Further we recommend that the following Senate amendment be acceded to: By inserting on page 6, section 3, between lines 17 and 18 of the original bill, being page 6, section 3, between lines 126 and 127 of the printed bill, the following words and figures:

“FROM THE RUSSELL PAINTING FUND

As much as may be necessary.”

“FROM THE MAGAZINE FUND

As much as may be necessary.”

We recommend further that House Bill No. 454 be amended by striking on page 11, section 4, lines 1 and 2 of the original bill, being page 10, section 4, lines 97 and 98 of the printed bill, the following words and figures: “One hundred nine thousand eight hundred forty-three dollars\$109,843.00”; and by inserting in lieu thereof the following words and figures: “one hundred fourteen thousand eight hundred forty-three dollars.....\$114,843.00”;

We further recommend that the House accede to Senate amendment to House Bill 454 by inserting on page 11, section 4, line 16 of the original bill, being page 11, section 4, line 109 of the printed bill, following the word “welfare” the following word: “commission”.

We further recommend that the Senate recede from the amendment on page 12, section 4, lines 1 and 2 of the original bill, being page 11, lines 121 and 122 of the printed bill, and that the Senate amendment be stricken.

We further recommend that the following Senate amendment be acceded to: By inserting on page 11, section 4, between lines 25 and 26 of the original bill, being page 11, section 4, between lines 117 and 118 of the printed bill, the following words and figures:

“ADJUSTED COMPENSATION DIVISION

FROM THE VETERANS' COMPENSATION FUND

As much as may be necessary to pay all lawful claims as provided by law.”

We further recommend that the following Senate amendment be acceded to: By inserting on page 12, section 4, between lines 19 and 20 of the original bill, being section 4, after line 35 of the printed bill, the following words and figures:

“FROM THE RUSSELL PAINTING FUND

As much as may be necessary.”

“FROM THE MAGAZINE FUND

As much as may be necessary.”

We further recommend that House Bill No. 454 as amended herein be concurred in.

For the Senate:

KELLER,
O'NEILL,
LEHRKIND.

For the House:

ADAMS,
KELLER,
BARDANOUVE.

Motion was made by Adams for adoption of the committee report. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Barnard, Beam, Bentz, Blewett, Broeder, Cerovski, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lundgren, Mathers, McOmber, Murray, Nelstead, Nichols, Pierce, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spahr, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 66.

Noes: Lucas, Page. Total 2.

Absent or not voting: Aasheim, Abel, Bardanouve, Bashor, Bradford, Brenner, Conklin, Coulter, Emmons, Eskildsen, Lombardi, Mourdee, Picard, Raundal, Stimatz, Teigen, Wayrynen. Total 17.

Excused: Burrell, Bush, Haines, Hall, Jensen (Mineral), Lewis, Melcher, Mernin, Reinecke. Total 9.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bill No. 137, House Substitute for Senate Bill No. 78, Senate Substitute for Senate Bill 84 and Senate Bill 181.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 465 and 459, 460 and 463.

REED, Chairman.

I have examined House Bill No. 465 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 459 introduced by me and find the same to be correct.

MATHERS.

I have examined House Bill No. 463 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 460 introduced by me and find the same to be correct.

NICHOLS.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 465, 459, 463, 460.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint another Conference Committee to confer with a like committee from the House on Senate Amendments to House Bill 458 after the first Conference Committee failed to concur in Senate Amendments to House Bill 458. The President appointed the following members to serve on this Committee.

Senate Amendments to House Bill 458—

CARNEY, Chairman.

ANDERSON,
THIESSEN.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and are herewith returned to the House for concurrence in Senate Amendments:

Substitute House Bill No. 457 introduced by Appropriations Committee.

House Bill No. 461 introduced by Hazelbaker et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint another Conference Committee to confer with a like Committee from the House on Senate Amendments to House Bill 458 after the preceding Conference Committee reported no progress. The President appointed the following members to serve on this Committee.

Senate Amendments to House Bill 458—

DURKEE, Chairman,
KELLER,
COLE.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to Substitute House Bill No. 457 be not concurred in, and that the Speaker appoint a conference committee of three members and request a like committee from the Senate.

That Senate Amendments to House Bill No. 461 be not concurred in, and that the Speaker appoint a conference committee of three members and request a like committee from the Senate.

JUDGE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a third conference committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 458. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker ap-

point a conference committee to confer with a like committee from the Senate on Senate Amendments to Substitute House Bill No. 457. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 461. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments:

To confer on Senate Amendments to House Bill No. 458: Keller, Goan and Sullivan (Silver Bow).

To confer on Senate Amendments to Substitute House Bill No. 457: Mathers, Pierce and McOmber.

To confer on Senate Amendments to House Bill No. 461: Hazelbaker, Asbjornson, and Barnard.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 65, 37, 410, 459, 460, 463, 465, Senate Substitute for Substitute House Bill 134, Senate Substitute for Substitute House Bill 400, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Memorial No. 12, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day delivered to the Governor for his approval.

REED, Chairman.

The Speaker signed the following bills in open session, the titles having first been read: Senate Joint Resolution No. 9 and Senate Bill No. 206.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee, have failed to agree on Senate amendments to House Bill No. 458, and request the President of the Senate and the Speaker of the House of Representatives to appoint a new Conference Committee on the Senate amendments to House Bill No. 458.

For the Senate:

DURKEE,
COLE,
KELLER.

For the House:

KELLER,
SULLIVAN (Silver Bow),
GOAN.

Motion was made by Keller for adoption of the Committee report. Motion carried. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Baldwin, Bashor, Beam, Bentz, Blewett, Broeder, Cerovski, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Haughey, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Melcher, Murray, Nelstead, Nichols, Page, Regan, Rosell, Rygg, Schwinden, Schye, Shelden, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 56.

Noes: Burrell, Hanks, Harper, Raundal, Twedt. Total 5.

Absent or not voting: Aasheim, Abel, Asbjornson, Bardanouve, Barnard, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Hazelbaker, Kolar, Lombardi, Mathers, McOmber, Moudree, Picard, Pierce, Reed, Seymour (Stimatatz, Teigen, Wayrynen. Total 25.

Excused: Bush, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reincke, Spahr. Total 8.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint Conference Committees of three members each, to confer with like Committees from the House on Senate Amendments to Substitute House Bill No. 457 and House Bill No. 461. The President appointed the following members to serve on Conference Committees:

Senate Amendments to Substitute House Bill No. 457:

BOVEY, Chairman,
HIBBS,
MAHONEY.

Senate Amendments to House Bill 461:

NEES, Chairman,
THIESSEN,
LEHRKIND.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint another Conference Committee to confer with a like Committee from the House on Senate Amendments to House Bill No. 458, after the preceding Conference Committee failed to agree.

The President appointed the following members to serve on the Committee:

MANNING, Chairman,
GOODWIN,
ULLOM.

Senate Amendments to House Bill 458:

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 374 introduced by Reed and Kvaalen.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House suspend House Rule 36, subsection 3 for the purpose of considering Senate Amendments to House Bill No. 374. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 458. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business on General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 374 be not concurred in, and that the Speaker appoint a conference committee of three members, and a like committee requested of the Senate.

JUDGE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a conference committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 374.

Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following conference committee appointments:

To confer on Senate Amendments to House Bill No. 458: Blewett, Dykstra and Melcher.

To confer on Senate Amendments to House Bill No. 374: Kvaalen, Rosell and Regan.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your joint conference committee appointed to consider the Senate Amendments to Substitute House Bill No. 457, report and recommend as follows:

That the House accede to all of the Senate amendments except as follows:

A. That in lieu of inserting between lines 19 and 20 on page 3, section 3 of the original bill, being page 3, section 3, between lines 46 and 47 of the printed bill, the words and figures which were recommended by the Senate amendment, there be inserted in lieu thereof the following words and figures: "In addition to the above appropriations there is appropriated to the Highway Patrol such sum of money as shall be required not exceeding one dollar (\$1.00) per operator's or chauffeur's license issued, not exceeding a total sum of one hundred seventy-five thousand dollars (\$175,000) for the fiscal year ending June 30, 1962, to defray the cost of administering House Bill No. 342 enacted by the Thirty-seventh Legislative Assembly."

B. That the Senate recede from its amendment to line 32 on page 5, section 3 of the original bill, being line 120, page 6, section 3 of the printed bill wherein the Senate amendment inserted in lieu of the words and figures "Fifty thousand dollars (\$50,000.00)" the words and figures "Seventy thousand dollars (\$70,000.00)" and that in lieu thereof said words and figures be amended to read "Sixty thousand dollars (\$60,000.00)."

C. That in lieu of inserting between lines 10 and 11 on page 11, section 4 of the original bill, being between lines 41 and 42 on page 11, section 4 of the printed bill, the words and figures which were recommended by the Senate amendment, there be inserted in lieu thereof the following words and figures: "In addition to the above appropriations there is appropriated to the Highway Patrol such sum of money as shall be required not exceeding one dollar (\$1.00) per operator's or chauffeur's license issued, not exceeding a total sum of one hundred seventy-five thousand dollars (\$175,000) for the fiscal year ending June 30, 1963, to defray the cost of administering House Bill No. 342 enacted by the Thirty-seventh Legislative Assembly."

D. That the Senate recede from its amendment made on page 11, section 4 between lines 18 and 19 of the original bill, being page 11, section 4 between lines 48 and 49 of the printed bill and that in lieu thereof said bill be amended by inserting therein the following words and figures: "So much as is required to carry out the provisions of House Bill 442 as enacted by the Thirty-seventh Legislative Assembly is hereby appropriated from the General Fund Twenty thousand dollars (\$20,000.00)."

E. That the Senate recede from its amendment to line 29 on page 13, section 4 of the original bill, being line 115 on page 14, section 4 of the printed bill wherein the Senate amendment inserted in lieu of the words and figures "Fifty thousand dollars (\$50,000.00)" the words and figures "Seventy thousand dollars (\$70,000.00)" and that in lieu thereof said words and figures be amended to read "Sixty thousand dollars (\$60,000.00)."

For the Senate:

BOVEY,
HIBBS,
MAHONEY.

For the House:

MATHERS,
PIERCE,
McOMBER.

Motion was made by Mathers for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Broeder, Cerovski, Crum, Daniels, Dykstra, Edwards, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nichols, Page, Pierce, Raundal, Reed, Regan, Rosell, Rygg, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 66.

Noes: Burrell, Kolar, Stearns. Total 3.

Absent or not voting: Aasheim, Abel, Adams, Bradford, Brenner, Conklin, Coulter, Emmons, Eskildsen, Lombardi, Melcher, Moudree, Nestead, Picard, Stimatz, Teigen, Wayrynen. Total 17.

Excused: Bush, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reinicke, Spahr. Total 8.

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 461, respectfully report as follows:

The House accedes to all Senate amendments other than the following:

Amend section 4 by striking out in line 16 of page 10 of the original bill, being line 200 of page 9 of the printed bill, the words and figures "sixty thousand dollars.....\$60,000.00" and inserting in lieu thereof the words and figures "eighty thousand dollars.....\$80,000.00."

Amend section 5 by striking out in lines 23 and 24 of page 12 of the original bill, being lines 28 and 29 of page 11 of the printed bill, the words and figures "eighty-nine thousand four hundred forty dollars.....\$89,440.00" and inserting in lieu thereof the words and figures "ninety-six thousand five hundred fifty-seven dollars.....\$96,557.00."

And further amend section 5 by striking out in line 2 of page 19 of the original bill, being line 168 of page 16 of the printed bill, the words and figures "sixty thousand dollars.....\$60,000.00" and inserting in lieu thereof the words and figures "eighty thousand dollars.....\$80,000.00."

And as so amended be concurred in.

For the Senate:

NEES,
THIESSEN,
LEHRKIND.

For the House:

HAZELBAKER,
ASBJORNSON,
BARNARD.

Motion was made by Mathers for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Anderson (Yellowstone), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Blewett, Broeder, Cerovski, Dykstra, Etchart, Gustafson, Hanks, Harper, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Lake), Judge, Laas, Leuthold, Lundgren, McOmber, Murray, Nichols, Page, Raundal, Reed, Schwinden, Shelden, Stranahan, Sullivan (Deer

Lodge), Sullivan (Silver Bow), Swanz, Twedt, Wright, Mr. Speaker. Total 39.

Noes: Adams, Anderson (Madison), Beam, Bentz, Burrell, Crum, Edwards, Falkenstern, Goan, Haughey, Hilling, Johnson, Keller, Kolar, Loman, Lord, Lucas, Mathers, Pierce, Rygg, Schye, Seymour, Smith, Spilde, Stearns, Thompson, Weeks. Total 27.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Kvaalen, Lombardi, Melcher, Moudree, Nelstead, Picard, Regan, Rosell, Stimatz, Teigen, Wayrynen. Total 20.

Excused: Bush, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reinicke, Spahr. Total 8.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 456.

REED. Chairman.

I have examined House Bill No. 456 introduced by me and find the same to be correct.

GOAN.

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 456.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 116, 312, 453, 455, 464 and 466, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, delivered to the Governor for his approval.

REED. Chairman.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint a Conference Committee of three to confer with a like Committee from the House on Senate Amendments to House Bill No. 374. The President appointed the following members to serve on the Committee:

Senate Amendments to House Bill No. 374—

CUMMING, Chairman,
DUSSAULT,
SHAW.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Adams that the House reconsider its action in adopting a Conference Committee report on Senate Amendments to House Bill No. 454. Motion carried.

Motion was made by Adams that the Conference Committee report on Senate Amendments to House Bill No. 454 be referred back to the committee. Motion carried.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 454, respectfully recommend as follows:

That the Senate recede from Senate amendments on page 5, section 3, lines 5 and 6 of the original bill, being page 5, section 3, lines 87 and 88 of the printed bill and said amendments be stricken, that the following be inserted in lieu thereof:

Be amended by striking on page 5, section 3, lines 5 and 6 of the original bill, being page 5, section 3, lines 87 and 88 of the printed bill, the following words and figures: "one hundred five thousand seven hundred seven dollars.....\$105,707.00"; and by inserting in lieu thereof the following words and figures: "one hundred eleven thousand seven hundred seven dollars.....\$111,707.00."

That the following Senate amendment be acceded to: By inserting on page 5, section 3, line 20 of the original bill, being section 3, line 99 of the printed bill, following the word "welfare" the following word: "commission."

That the following Senate amendment be acceded to: By inserting on page 5, section 3, between lines 29 and 30 of the original bill, being page 5, section 3, between lines 107 and 108 of the printed bill, the following words:

"ADJUSTED COMPENSATION DIVISION

FROM THE VETERANS' COMPENSATION FUND

As much as may be necessary to pay all lawful claims as provided by law."

That the Senate recede from Senate amendments, on page 6, section 3, lines 1 and 2 of the original bill, being section 3, lines 111 and 112 of the printed bill, and said amendments be stricken.

Further we recommend that the following Senate amendment be acceded to: By inserting on page 6, section 3, between lines 17 and 18 of the original bill, being page 6, section 3, between lines 126 and 127 of the printed bill, the following words:

"FROM THE RUSSELL PAINTING FUND

As much as may be necessary."

"FROM THE MAGAZINE FUND

As much as may be necessary."

That the Senate recede from Senate amendments on page 11, section 4, lines 1 and 2 of the original bill, being page 10, section 4, lines 97 and 98 of the printed bill, and said amendments be stricken, that the following be inserted in lieu thereof, be amended by striking on page 11, section 4, lines 1 and 2 of the original bill, being page 10, section 4, lines 97 and 98 of the printed bill, the following words and figures: "One hundred nine thousand eight hundred forty-three dollars.....\$109,843.00"; and by inserting in lieu thereof the following words and figures: "one hundred fourteen thousand eight hundred forty-three dollars.....\$114,843.00."

We further recommend that the House accede to Senate amendment to House Bill 454 by inserting on page 11, section 4, line 16 of the original bill, being page 11, section 4, line 109 of the printed bill, following the word "welfare" the following word: "commission."

We further recommend that the Senate recede from the amendment on page 12, section 4, lines 1 and 2 of the original bill, being page 11, lines 121 and 122 of the printed bill, and that the Senate amendment be stricken.

We further recommend that the following Senate amendment be acceded to: By inserting on page 11, section 4, between lines 25 and 26 of the original bill, being page 11, section 4, between lines 117 and 118 of the printed bill, the following words:

“ADJUSTED COMPENSATION DIVISION

FROM THE VETERANS' COMPENSATION FUND

As much as may be necessary to pay all lawful claims as provided by law.”

We further recommend that the following Senate amendment be acceded to: By inserting on page 12, section 4, between lines 19 and 20 of the original bill, being section 4, after line 135 of the printed bill, the following words:

“FROM THE RUSSELL PAINTING FUND

As much as may be necessary.”

“FROM THE MAGAZINE FUND

As much as may be necessary.”

We further recommend that House Bill No. 454 as amended herein be concurred in.

For the Senate:

KELLER,
O'NEILL,
LEHRKIND.

For the House:

ADAMS,
KELLER,
BARDANOUVE.

Motion was made by Adams for adoption of the conference committee report. Report adopted as follows:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bashor, Beam, Bentz, Broeder, Burrell, Crum, Edwards, Etchart, Falkenstern, Goan, Gustafson, Hanks, Harper, Haughey, Hazelbaker, Healy, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Laas, Leuthold, Lord, Lucas, Lundgren, Mathers, McOmber, Murray, Nichols, Page, Pierce, Raundal, Reed, Schwinden, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Weeks, Wright, Mr. Speaker. Total 58.

Noes: None.

Absent or not voting: Aasheim, Abel, Bardanouve, Barnard, Blewett, Bradford, Brenner, Cerovski, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Hibbard, Kvaalen, Loman, Lombardi, Melcher, Moudree, Nestead, Picard, Regan, Rosell, Rygg, Stimatz, Teigen, Wayrynen. Total 28.

Excused: Bush, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reincke, Spahr. Total 8.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

We, your Committee on Rules and Journal, having had referred to

it the following motion by Anderson from Yellowstone, to-wit: That House Senate Joint Rule No. 9 be amended after the period at the end of the rule by adding the following language: "Any bill, amending or repealing existing statutes, introduced shall, below the line on which the bill's authorship is indicated, and before the title thereof, provide a key in letters and numerals showing the section or sections, of the Revised Codes of Montana, 1947, and all amendments or repeals thereto contained or affected by said bill."

Report as follows: That the Committee recommends the motion be adopted.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call vote adopted the Joint Conference Committee reports on Senate Amendments to House Bill No. 461 and Senate Amendments to Substitute House Bill No. 457.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

On motion of Anderson (Yellowstone) the House recessed subject to the Call of the Chair.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 456, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day delivered to the Governor for his approval.

REED, Chairman.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 454.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee appointed to confer on Senate amendments to House Bill No. 374, do hereby report as follows:

That the Committee is unable to agree, and we request that we be discharged and that a new Conference Committee be appointed.

For the Senate:

CUMMING,
DUSSAULT,
SHAW.

For the House:

KVAALEN,
ROSELL,
REGAN.

Motion was made by Kvaalen that the Conference Committee report be adopted. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Burrell, Cerovski, Crum, Edwards, Etchart, Falkenstern, Goan, Hanks, Harper, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Judge, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Mathers, Nelstead, Nichols, Page, Pierce, Raundal, Rosell, Rygg, Schye, Seymour, Shelden, Stearns, Stranahan, Sullivan (Deer Lodge), Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 53.

Noes: None.

Absent or not voting: Aasheim, Abel, Bentz, Blewett, Bradford, Brenner, Broeder, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Healy, Johnson, Keller, Lombardi, Lundgren, McOmber, Melcher, Moudree, Murray, Picard, Reed, Regan, Smith, Spilde, Stimatz, Sullivan (Silver Bow), Swanz, Teigen. Total 31.

Excused: Bush, Gustafson, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reinecke, Schwinden, Spahr. Total 10.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on Senate Amendments to House Bill No. 374. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following members to a Conference Committee on Senate Amendments to House Bill No. 374: Haughey, Kvaalen, Shelden.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 458 respectfully recommend as follows:

The House accedes to Senate amendment to House Bill 458 by striking on line 5 of the title of the original bill, being line 2 of the title of the printed bill, and following the word "operation," the following words: "of the University of Montana."; and by inserting in lieu thereof the following words and figures: "and maintenance and for other purposes designated herein for the several units of the University of Montana, known as Montana State University, Montana State College, experiment station and substations, extension service, Montana School of Mines, Western Montana College of Education at Dillon, Eastern Montana College

of Education at Billings, and Northern Montana College at Havre, the office of the executive secretary, and for student fare refunds for the period beginning July 1, 1961, and ending June 30, 1963."

We further recommend that the Senate recede from the amendment on page 3, section 4, lines 2 and 3 of the original bill, being page 3, section 4, lines 26 and 27 of the printed bill. That the Senate recede from Senate amendment on page 3, section 4, lines 7 and 8 of the original bill, being page 3, section 4, lines 30 and 31 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 3, section 4, lines 7 and 8 of the original bill, being page 3, section 4, lines 30 and 31 of the printed bill, the following words and figures: "One million nine hundred four thousand seven hundred thirty-three dollars.....\$1,904,733.00"; and by inserting in lieu thereof the following words and figures: "One million nine hundred eighty-five thousand five hundred forty-one dollars.....\$1,985,541.00." That the Senate recede from Senate amendment on page 3, section 4, lines 11, 12 and 13 of the original bill, being page 3, section 4, lines 34, 35, and 36 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 3, section 4, lines 11, 12, and 13 of the original bill, being page 3, section 4, lines 34, 35 and 36 of the printed bill, the following words and figures: "Six hundred ninety-four thousand five hundred eighty-five dollars.....\$694,585.00;" and by inserting in lieu thereof the following words and figures: "Six hundred ninety-six thousand, nine hundred twenty-five dollars.....\$696,925.00." That the Senate recede from Senate amendment on page 3, section 4, line 19 of the original bill, being page 3, section 4, line 41 of the printed bill, and said amendment be stricken and;

We further recommend that House Bill No. 458 be amended by striking on page 3, section 4, line 19 of the original bill, being page 3, section 4, line 41 of the printed bill, the following figures: "\$694,585.00;" and by inserting in lieu thereof the following figures: "\$696,925.00."

The House accedes to Senate amendment to House Bill 458 by inserting on page 3, section 4, between lines 27 and 28 of the original bill, being page 3, section 4, between lines 48 and 49, of the printed bill, the following words and figures: "In addition to the above appropriations, there is hereby appropriated from the general fund for expenditures, in lieu of fees and collections, ten thousand dollars.....\$10,000.00 provided, however that no claims shall be paid from this appropriation that would exceed, in the aggregate, the amount of fees and collections deposited with the state treasurer to the credit of the general fund for that fiscal year, but the total of such fees and collections so deposited, in excess of such \$10,000.00 is hereby also appropriated for such purpose."

We recommend further that House Bill No. 458 be amended by striking on page 3, section 4, lines 28 and 29 of the original bill, being page 3, section 4, lines 49 and 50 of the printed bill, the following words and figures: "Three hundred four thousand four hundred thirty-seven dollars.....\$304,437.00;" and by inserting in lieu thereof the following words and figures: "Two hundred fifty-four thousand four hundred thirty-seven dollars.....\$254,437.00."

That the Senate recede from Senate amendment on page 4, section 4, lines 3 and 4 of the original bill, being page 4, section 4, lines 53 and 54 of the printed bill, and said amendment be stricken.

We recommend further that House Bill No. 458 be amended by striking on page 4, section 4, lines 3 and 4 of the original bill, being page 4, section 4, lines 53 and 54 of the printed bill, the following words and figures: "Four hundred seventeen thousand forty-five dollars.....\$417,045.00;" and by inserting in lieu thereof the following words and

figures: "Four hundred fifty-seven thousand forty-five dollars.....
\$457,045.00."

We further recommend that the House accede to Senate amendment to House Bill No. 458 by striking on page 4, section 4, lines 25 and 26 of the original bill, being page 4, section 4, lines 74 and 75 of the printed bill, the following words and figures: "Seven thousand five hundred dollars.....\$7,500.00;" and by inserting in lieu thereof the following words and figures: "Eleven thousand dollars.....\$11,000.00."

That the Senate recede from Senate amendment on page 5, section 4, lines 21 and 22 of the original bill, being lines 97 and 98 of the printed bill, and said amendment be stricken.

We recommend further that House Bill No. 458 be amended by striking on page 5, section 4, lines 21 and 22 of the original bill, being page 5, section 4, lines 97 and 98 of the printed bill, the following words and figures: "Two hundred twenty-four thousand five hundred sixty-four dollars.....\$224,564.00;" and by inserting in lieu thereof the following words and figures: "Two hundred thirty-two thousand five hundred sixty-four dollars.....\$232,564.00."

We further recommend that the Senate recede from the amendment on page 8, section 5, lines 24 and 25 of the original bill, being page 8, section 5, lines 26 and 27 of the printed bill.

That the Senate recede from Senate amendment on page 8, section 5, lines 29 and 30 of the original bill, being page 8, section 5, lines 30 and 31 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 8, section 5, lines 29 and 30 of the original bill, being page 8, section 5, lines 30 and 31 of the printed bill, the following words and figures: "One million nine hundred sixty-three thousand three hundred seventy-one dollars.....\$1,963,371.00;" and by inserting in lieu thereof the following words and figures: "Two million one hundred twenty-one thousand eight hundred seventy-nine dollars.....\$2,121,879.00."

That the Senate recede from Senate amendment on page 9, section 5, lines 4 and 5 of the original bill, being page 8, section 5, line 35 of the printed bill, the following words and figures: "Seven hundred twenty thousand ten dollars.....\$720,010.00;" and by inserting in lieu thereof the following words and figures: "Seven hundred twenty-four thousand six hundred dollars.....\$724,600.00."

We further recommend that House Bill No. 458 be amended by striking on page 9, section 5, line 11 of the original bill, being page 9, line 40, in section 5 of the printed bill, the following figures: "\$720,010.00;" and by inserting in lieu thereof the following figures: "\$724,600.00." We further recommend that the House accede to Senate amendment to House Bill No. 458 by inserting on page 9, section 5, between lines 18 and 19 of the original bill, being between lines 47 and 48 in section 5 on page 9 of the printed bill, the following words and figures: "In addition to the above appropriation, there is hereby appropriated from the general fund for expenditures, in lieu of fees and collections, ten thousand dollars \$10,000.00, provided, however, that no claims shall be paid from this appropriation that would exceed, in the aggregate, the amount of fees and collections deposited with the state treasurer to the credit of the general fund for that fiscal year, but the total of such fees and collections so deposited, in excess of such \$10,000.00 is hereby also appropriated for such purpose."

That the Senate recede from Senate amendment on page 9, section 5, lines 19 and 20 of the original bill, being on page 9, section 5, lines 48 and 49 of the printed bill.

We further recommend that House Bill No. 458 be amended by

striking on page 9, section 5, lines 19 and 20 of the original bill, being page 9, section 5, lines 48 and 49 of the printed bill, the following words and figures: "Two hundred six thousand eighteen dollars.....\$206,018.00;" and by inserting in lieu thereof the following words and figures: "Two hundred fifty-six thousand eighteen dollars.....\$256,018.00."

That the Senate recede from Senate amendment on page 9, section 5, lines 24 and 25 of the original bill, being page 9, section 5, lines 52 and 53 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 9, section 5, lines 24 and 25 of the original bill, being page 9, section 5, lines 52 and 53 of the printed bill, the following words and figures: "Three hundred ninety-nine thousand five hundred sixty-four dollars.....\$399,564.00;" and by inserting in lieu thereof the following words and figures: "Four hundred thirty-nine thousand five hundred sixty-four dollars.....\$439,564.00."

We further recommend that the House accede to Senate amendment to House Bill No. 458 by striking on page 10, section 5, lines 13 and 14 of the original bill, being page 10, section 5, lines 73 and 74 of the printed bill, the following words and figures: "Seven thousand five hundred dollars.....\$7,500.00;" and by inserting in lieu thereof the following words and figures: "Eleven thousand dollars.....\$11,000.00."

That the Senate recede from Senate amendment on page 11, section 5, lines 9 and 10 of the original bill, being page 11, section 5, lines 96 and 97 of the printed bill, and said amendment be stricken.

We further recommend that House Bill No. 458 be amended by striking on page 11, section 5, lines 9 and 10 of the original bill, being page 11, section 5, lines 96 and 97 of the printed bill, the following words and figures: "Two hundred thirty-nine thousand six hundred thirty dollars.....\$239,630.00;" and by inserting in lieu thereof the following words and figures: "Two hundred forty-seven thousand six hundred thirty dollars.....\$247,630.00."

By adding the following new section:

"Section 8. The appropriation for each unit of the University of Montana is based upon predicted enrollment and a cost per student basis as follows:

	1961		1962	
	Enrollment	Cost	Enrollment	Cost
M. S. U.	3944	\$1,066.00	4097	\$1,066.00
M. S. C.	4076	1,066.00	4221	1,066.00
E. M. C. E.	1481	784.00	1631	784.00
W. M. C. E.	531	814.00	531	814.00
M. S. M.	340	1,425.00	350	1,425.00
N. M. C.	750	841.00	750	841.00

In the event the enrollment of any unit of the University of Montana falls below the predicted enrollment set forth in the schedule above, the appropriation for such unit for such year shall be reduced in an amount equal to the difference between the predicted enrollment and the actual enrollment multiplied by the cost basis per student for such unit and the amount so computed shall revert to the general fund. For the purpose of making the computation hereinabove provided, actual enrollment shall be defined to mean and does mean the number of students actually in attendance carrying a minimum of twelve credit hours as of December 15 in the years 1961 and 1962 unless the quarter period or semester for any given unit should terminate prior to December 15 in which event such termination date shall be used. The State Board of

Education, ex-officio Regents of the University of Montana and State Controller shall enforce compliance with these provisions."

And, as amended, be concurred in.

For the Senate:

MANNING, Chairman,
GOODWIN,
ULLOM.

For the House:

BLEWETT,
DYKSTRA,
MELCHER.

Motion was made by Blewett for adoption of the Committee report. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Cerovski, Crum, Dykstra, Etchart, Falkenstern, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Kolar, Laas, Leuthold, Loman, Lord, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Raundal, Reed, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 60.

Noes: Bush, Edwards, Goan, Keller, Kvaalen, Lucas, Regan, Rosell, Stearns. Total 9.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Judge, Lombardi, McOmber, Moudree, Picard, Stimatz, Teigen. Total 16.

Excused: Gustafson, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reinecke, Schwinden, Spahr. Total 9.

To the: President of the Senate,
Speaker of the House.

We, your Conference Committee appointed to consider Senate amendments to House Bill 374 have made no progress and have failed to agree, and ask that a new Committee be appointed.

For the Senate:

DURKEE,
CUMMING,
ULLOM.

For the House:

HAUGHEY,
KVAALLEN,
SHELDEN.

Motion was made by Haughey for adoption of the Committee report. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Cerovski, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Melcher, Murray, Nelstead, Nichols, Page, Pierce, Reed, Rosell, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stearns, Stranahan, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Thompson, Twedt, Wayrynen, Weeks, Wright, Mr. Speaker. Total 67.

Noes: Raundal, Regan. Total 2.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Judge, Lombardi, McOmber, Moudree, Picard, Stimatz, Teigen. Total 16.

Excused: Gustafson, Haines, Hall. Jensen (Mineral), Lewis, Mernin, Reinecke, Schwinden, Spahr. Total 9.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Senate Joint Resolution No. 8, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following named House employees, heretofore employees, heretofore employed, are to be employed for the post session for the number of days stated below and to take effect after adjournment.

The sergeant-at-arms is instructed to include their names on the supplemental payroll submitted to the state auditor, for the number of days stated below:

Rosemary Acher, journal clerk.....	14 days
Maud Bolton, postal clerk.....	3 "
Lillian Boner, proof reader.....	3 "
Shirley Bowman, mail clerk.....	3 "
Rosella Dallas, assistant journal clerk.....	7 "
Irene Daly, journal stenographer.....	7 "
William Engles, assistant chief clerk.....	5 "
Eva Farrington, typist.....	5 "
Juanita Fontana, clerk to chief clerk.....	5 "
George Howard, chief clerk.....	5 "
Ramona Jellison, assistant bill clerk.....	7 "
D. L. Jones, 1st assistant sergeant.....	10 "
Albert Lippert, supply clerk.....	10 "
Corinne Mooney, clerk to bills committee.....	5 "
Norma Rogness, proof reader.....	2 "
Madeline Samson, bill clerk.....	7 "
Agnes Screnar, mimeograph clerk.....	3 "
Thomas Smith, payroll clerk.....	7 "
Beverly Tomaskie, proof reader.....	3 "
Harry Watson, janitor.....	3 "
Marguerite Wing, assistant engrossing clerk.....	5 "
William Walrath, reading clerk.....	5 "

That the Honorable Clyde L. Hawks, Speaker of the House, be allowed mileage incident to his service for signing of the House Journal for the Thirty-seventh Legislative Assembly, from St. Xavier to Helena, Montana, and returning: \$45.50.

HAZELBAKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 461 and 454.

REED, Chairman.

I have examined House Bill No. 461 introduced by me and find the same to be correct.

HAZELBAKER.

I have examined House Bill No. 454 introduced by me and find the same to be correct.

ADAMS.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 461 and 454.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the Speaker appoint a new conference committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 374. Motion carried.

Motion was made by Anderson (Yellowstone) that the House request the return of House Bill No. 348 from the Governor's office in order to correct an error in enrolling. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments to confer with the Senate Committee on Senate Amendments to House Bill No. 374: Lundgren, Mathers, Bush.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable body that, on motion, the President was directed to appoint a second Conference Committee to confer with a like Committee from the House on Senate Amendments to House Bill 374 after the previous Conference Committee was unable to agree. The President named the following Senators to serve on this Committee:

Senate Amendments to House Bill 374:

DURKEE, Chairman,
CUMMING,
ULLOM.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

House Bill No. 468 was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 468, introduced by Mathers: A bill for an act entitled: "An act to appropriate money to the State Board of Equalization from the gasoline drawback fund and the income tax withholding fund."

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 468, respectfully report as follows: That House Bill No. 468 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Bills, to whom was referred House Bill No. 468, beg leave to report the same has this day been returned from the printer correctly printed.

REED, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Higham of Carbon in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 468 do pass.

HIGHAM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 468.

REED, Chairman.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times at length, title and history agreed to, was disposed of in the following manner:

House Bill No. 468 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanouve, Barnard, Bashor, Bentz, Blewett, Burrell, Cerovski, Dykstra, Edwards, Etchart, Falkenstern, Goan, Hanks, Harper, Haughey, Hazelbaker, Healy, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Keller, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Melcher, Nichols, Pierce, Raundal, Reed, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stranahan, Thompson, Twedt, Weeks, Mr. Speaker. Total 50.

Noes: None.

Absent or not voting: Aasheim, Abel, Beam, Bradford, Brenner, Broeder, Conklin, Coulter, Crum, Daniels, Emmons, Eskildsen, Johnson, Judge, Kolar, Lombardi, Lundgren, Mathers, McOmber, Moudree, Murray, Nelstead, Page, Picard, Regan, Rosell, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Swanz, Teigen, Wayrynen, Wright. Total 34.

Excused: Bush, Gustafson, Haines, Hall, Jensen (Mineral), Lewis, Mernin, Reinecke, Schwinden, Spahr. Total 10.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 454 and 461, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill corrected and returned to the Governor: House Bill No. 348.

REED, Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: Substitute House Bill No. 457.

REED, Chairman.

I have examined Substitute House Bill No. 457 introduced by me and find the same to be correct.

RYGG.

The Speaker signed the following bill in open session, the title having first been read: Substitute House Bill No. 457.

MESSAGES FROM THE GOVERNOR AND SENATE

March 2, 1961

The Hon. Clyde L. Hawks, Speaker,
House of Representatives.

Dear Sir:

I am herewith returning House Bill No. 348 as requested by you, to correct an error made in enrolling.

Sincerely,

DONALD G. NUTTER,
Governor.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 458.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and is herewith returned to the House:

House Bill No. 468 introduced by Mathers.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that, on motion, the President was requested to appoint a third Conference Committee to meet with a like Committee from the House to confer on Senate Amendments to House Bill No. 374, after the second Conference

Committee reported no progress and had failed to agree. The President appointed the following members:

Senate Amendments to House Bill 374:

JAMES, Chairman,
THIESSEN,
HIBBS.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

On motion of Anderson (Yellowstone) and carried, the House recessed subject to the Call of the Chair.

House resumed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had referred to it for our consideration the question of the propriety of the introduction of House Resolution No. 7, the point being that it was introduced in contravention of Rule 36, Subsection 3, of the Rules of the House, respectfully report as follows:

That the introduction of and receipt by the House of House Resolution No. 7 is not in contravention of Rule 36, Subsection 3, of the Rules of the House and that, therefore, the point of order of the Gentleman from Fergus, Representative Cerovski, is not well taken.

ANDERSON (Yellowstone),
Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Dykstra for the adoption of House Resolution No. 7. Motion carried. Resolution adopted.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee, having had under consideration Senate amendments to House Bill No. 374, respectfully report and recommend as follows:

1. That the Senate recede from its Committee of the Whole amendment adopted March 2, 1961, and that in lieu thereof said bill be amended in Section 1 by striking out in lines 20 and 21 on page 1 of the original bill, being page 1, lines 7 and 8 of the printed bill, the following words and figures: "Seven million two hundred one thousand eight hundred thirty dollars, \$7,201,830.00," and inserting in lieu thereof the words and figures: "Eight million fifty-seven thousand three hundred seventy-four dollars, \$8,057,374.00;" and be further amended by striking out in section 2, lines 28 and 29, page 1 of the original bill, being page 2, section 2, lines 7 and 8 of the printed bill, the following words and figures: "Seven million seven hundred twenty-one thousand five hundred ninety-three dollars, \$7,721,593.00," and inserting in lieu thereof the words and figures: "Eight million five hundred seventy-seven thousand one hundred thirty-seven dollars, \$8,577,137.00."

2. That a new bill be enacted appropriating eight hundred fifty-

five thousand five hundred forty-four dollars, \$855,544.00 for each year of the coming biennium, from the General Fund to a special fund to be known as the Public School Classroom Unit Assistance Fund.

3. That another bill be enacted determining the manner of distribution of funds from the Public School Classroom Unit Assistance Fund.

For the Senate:

JAMES, Chairman,
HIBBS.

For the House:

LUNDGREN, Chairman,
MATHERS,
BUSH.

Motion was made by Lundgren for adoption of the Conference Committee report. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Broeder, Burrell, Bush, Crum, Dykstra, Edwards, Etchart, Falkenstein, Goan, Haines, Haughey, Hazelbaker, Hibbard, Higham, Hilling, Jenkins, Jensen (Lake), Johnson, Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Nichols, Page, Pierce, Reed, Regan, Rosell, Rygg, Schye, Seymour, Smith, Spilde, Stranahan, Swanz, Thompson, Weeks, Wriyht, Mr. Speaker. Total 54.

Noes: Bardanouve, Barnard, Bashor, Cerovski, Hanks, Harper, Healy, Laas, Raundal, Shelden, Sullivan (Deer Lodge). Total 11.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Conklin, Coulter, Daniels, Emmons, Eskildsen, Lombardi, McOmber, Melcher, Moudree, Page, Picard, Stimatz, Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 20.

Excused: Gustafson, Hall, Jensen (Mineral), Lewis, Mernin, Reincke, Schwinden, Spahr, Stearns. Total 9.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 468.

REED, Chairman.

I have examined House Bill No. 468 introduced by me and find the same to be correct.

MATHERS.

The Speaker signed House Bill No. 468 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 348 for correction of enrolled bill, and Substitute House Bill No. 457, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

REED, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that the House suspend Rule 36 of the House for receiving the introduction of the bills recommended by the Conference Committee on Senate Amendments to House Bill No. 374, which two bills would be designated as House Bills Nos. 469 and 470. Motion carried.

Motion was made by Anderson (Yellowstone) that Joint Rule 2, be suspended by the House for the purpose of transmitting to the Senate, the

House bills recommended by the Conference Committee on Senate amendments to House Bill No. 374, if approved by the House; which bills when introduced in the House will be designated House Bills Nos. 469 and 470. Motion carried.

Motion was made by Anderson (Yellowstone) that the House reconsider its action with reference to the Conference Committee report on Senate Amendments to House Bill No. 458, for the purpose of referring it to a further conference committee of two members to be appointed by the Speaker and a like committee requested from the Senate, for the purpose of considering an amendment to section 8 of that report. Motion carried.

Motion was made by Anderson (Yellowstone) that the House request the Senate to reconsider its action in adopting the Conference Committee report on Senate Amendments to House Bill No. 458 for the purpose of referring the report to a further Joint Conference Committee for the consideration of amendments to section 8 of that report. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker retract his action in signing House Bill No. 458 and that House Bill No. 458 be taken from the Committee on Bills and be referred to a further Joint Conference Committee for the purpose of considering an amendment to section 8 of the Conference Committee report on Senate Amendments to House Bill No. 458. Motion carried.

Motion was made by Anderson (Yellowstone) that the Speaker appoint a Conference Committee of two members to meet with a like committee requested from the Senate for the purpose of considering an amendment to section 8 of the previous Conference Committee report on Senate Amendments to House Bill No. 458. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following to a Conference Committee to confer with a like committee from the Senate on the previous Conference Committee report on Senate Amendments to House Bill No. 458: Blewett, Dykstra.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to the Appropriation Committee:

House Bill No. 469, introduced by Lundgren, Mathers, Bush: A bill for an act entitled: "An act to provide for a fund for the support of the school districts and county high schools of the state, to be designated the Public School Classroom Unit Assistance Fund; providing for the distribution of moneys appropriated to said fund on the basis of classroom units, and defining the same; providing the manner of distribution and the use of such funds; and providing that the act shall be in force and effect during the period from July 1, 1961 to June 30, 1963, inclusive."

House Bill No. 470, introduced by Mathers, Lundgren, Bush: A bill for an act entitled: "An act to appropriate money for the Public School Classroom Unit Assistance Fund for distribution as provided by law during the period beginning July 1, 1961 and ending June 30, 1963; and providing that the appropriations herein shall be valid, notwithstanding the provisions of the budget act."

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried. House recessed.

House resumed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 469, respectfully report as follows: That House Bill No. 469 do pass.

NICHOLS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 470, respectfully report as follows: That House Bill No. 470 do pass.

NICHOLS, Chairman.

Report adopted.

On motion of Anderson (Yellowstone) the House recessed subject to the Call of the Chair.

House resumed.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 469 and 470, beg leave to report that the same have this date been returned from the printer correctly printed.

MURRAY, Vice Chairman.

Cerovski rose on a Point of Order, stating that House Bills Nos. 469 and 470 had been improperly introduced under House Rule 36. The Speaker referred the Point of Order to the Committee on Rules and Journal.

On motion of Anderson (Yellowstone), the House recessed subject to the Call of the Chair.

House recessed.

House resumed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration a point of order concerning the propriety of the introduction of House Bill 470 under Rule 36, Subsection 1, report as follows:

That the point of order is not well taken in that House Bill No. 470 relates to appropriations for the expenses of State Government.

ANDERSON (Yellowstone),
Chairman.

Motion was made by Anderson (Yellowstone) for adoption of the report of the Committee on Rules and Journal.

Substitute motion was made by Cerovski that the point of order referred to the Rules Committee that House Bill No. 470 was improperly introduced according to Rule 36 in that unanimous consent was not obtained, was well taken.

Substitute motion failed to carry. Report adopted.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

the Senate this day, on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 374.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, the President was requested to appoint a Conference Committee of two to meet with a like Committee from the House on Senate Amendments to House Bill 458, after the Senate reconsidered its action in adopting the previous Conference Committee report. The following members were appointed:

Senate Amendments to House Bill 458:

MANNING,
GOODWIN.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 11

Introduced by Healy, Cerovski.

A House Resolution of esteem for former Senator James E. Murray, praying a speedy recovery from his serious illness.

WHEREAS, Senator James E. Murray has reached the end of a career of long and distinguished service to Montana in the Congress of the United States and;

WHEREAS, Senator James E. Murray has been hospitalized in recent weeks by severe illness and;

WHEREAS, The many friends of Senator James E. Murray are still mindful of the great achievements for which he was responsible;

NOW, THEREFORE BE IT RESOLVED, by the House membership of Montana's Thirty-seventh Legislative Assembly, that Senator James E. Murray has our full expression of gratitude for service rendered; that we wish him speedy recovery to robust health;

AND THEREFORE BE IT FURTHER RESOLVED, that copies of this resolution be submitted to James E. Murray, to the immediate members of his family and to Montana's Congressional Delegation in the Congress of the United States.

Motion was made by Cerovski for adoption of the Resolution. Motion carried. Resolution adopted.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose and begged leave to sit again.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 469 be amended in section 5, in line 3 of the printed bill, being line 9, page 2 of the original bill, by inserting after the words "the 5 mill levy" the words "provided for in section 75-1723, Revised Codes of Montana, 1947, as amended;"

Be further amended in section 5 in line 4 of the printed bill, being line 10, page 2 of the original bill, by inserting after the words "permissive area provided by law" the following: " , without the requirement of an election as provided for in section 75-3801, Revised Codes of Montana, 1947. Such funds shall not be construed to be included within 'all other regular sources of revenue required to be used to finance the foundation program as provided in sections 75-1723 and 75-4516.1', under the provisions of section 75-3616, Revised Codes of Montana, 1947, as amended."

And as amended, that House Bill No. 469 do pass.

That further consideration of House Bill No. 470 be passed for this sitting.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled as amended: House Bill No. 374.

REED, Chairman.

I have examined House Bill No. 374, as amended, introduced by me and find the same to be correct.

REED.

The Speaker signed House Bill No. 374 in open session, the title having first been read.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 470 be amended in the title by inserting in line 5 of the printed bill, being line 7, page 1 of the original bill, after the words "ending June 30, 1963;" the following: "providing that if this act is finally held invalid, any moneys remaining in such fund shall be transferred to the State Public School Equalization fund;"

Be amended further by adding a new section following section 3, to read as follows: "Section 4. In the event that it shall finally be determined by the Supreme Court of the State of Montana that this act is invalid, any moneys remaining in the Public School Classroom Unit Assistance Fund shall be transferred to the State Public School Equalization Fund." And as amended that House Bill No. 470 do pass.

JUDGE, Chairman.

Report adopted.

CONFERENCE COMMITTEE REPORTS

To the: President of the Senate,
Speaker of the House.

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 458, respectfully recommend as follows:

The House accedes to Senate amendment to House Bill 458 by striking on line 5 of the title of the original bill, being line 2 of the title of the printed bill, and following the word "operation," the following words: "of the University of Montana."; and by inserting in lieu thereof the following words and figures: "and maintenance and for other purposes designated herein for the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and Substations, Extension Service, Montana School of Mines, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and Northern Montana College at Havre, the office of the executive secretary, and for student fare refunds for the period beginning July 1, 1961, and ending June 30, 1963."

We further recommend that the Senate recede from the amendment on page 3, section 4, lines 2 and 3 of the original bill, being page 3, section 4, lines 26 and 27 of the printed bill. That the Senate recede from Senate amendment on page 3, section 4, lines 7 and 8 of the original bill, being page 3, section 4, lines 30 and 31 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 3, section 4, lines 7 and 8 of the original bill, being page 3, section 4, lines 30 and 31 of the printed bill, the following words and figures: "One million nine hundred four thousand seven hundred thirty-three dollars.....\$1,904,733.00;" and by inserting in lieu thereof the following words and figures: "One million nine hundred eighty-five thousand five hundred forty-one dollars.....\$1,985,541.00." That the Senate recede from Senate amendment on page 3, section 4, lines 11, 12 and 13 of the original bill, being page 3, section 4, lines 34, 35 and 36 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 3, section 4, lines 11, 12 and 13 of the original bill, being page 3, section 4, lines 34, 35 and 36 of the printed bill, the following words and figures: "Six hundred ninety-four thousand five hundred eighty-five dollars.....\$694,585.00;" and by inserting in lieu thereof the following words and figures: "Six hundred ninety-six thousand, nine hundred twenty-five dollars.....\$696,925.00." That the Senate recede from Senate amendment on page 3, section 4, line 19 of the original bill, being page 3, section 4, line 41 of the printed bill, and said amendment be stricken and;

We further recommend that House Bill No. 458 be amended by striking on page 3, section 4, line 19 of the original bill, being page 3, section 4, line 41 of the printed bill, the following figures: "\$694,585.00;" and by inserting in lieu thereof the following figures: "\$696,925.00."

The House accedes to Senate amendment to House Bill 458 by inserting on page 3, section 4, between lines 27 and 28 of the original bill, being page 3, section 4, between lines 48 and 49, of the printed bill, the following words and figures: "In addition to the above appropriations, there is hereby appropriated from the general fund for expenditures, in lieu of fees and collections, ten thousand dollars.....\$10,000.00 provided, however, that no claims shall be paid from this appropriation that would exceed, in the aggregate, the amount of fees and collections deposited with the state treasurer to the credit of the general fund for that fiscal year, but the total of such fees and collections so deposited, in excess of such \$10,000.00 is hereby also appropriated for such purpose."

We recommend further that House Bill No. 458 be amended by striking on page 3, section 4, lines 28 and 29 of the original bill, being page 3, section 4, lines 49 and 50 of the printed bill, the following words and

figures: "Three hundred four thousand and four hundred thirty-seven dollars.....\$304,437.00;" and by inserting in lieu thereof the following words and figures: "Two hundred fifty-four thousand four hundred thirty-seven dollars.....\$254,437.00."

That the Senate recede from Senate amendment on page 4, section 4, lines 3 and 4 of the original bill, being page 4, section 4, lines 53 and 54 of the printed bill, and said amendment be stricken.

We recommend further that House Bill No. 458 be amended by striking on page 4, section 4, lines 3 and 4 of the original bill, being page 4, section 4, lines 53 and 54 of the printed bill, the following words and figures: "Four hundred seventeen thousand and forty-five dollars.....\$417,045.00;" and by inserting in lieu thereof the following words and figures: "Four hundred fifty-seven thousand forty-five dollars.....\$457,045.00."

We further recommend that the House accede to Senate amendment to House Bill No. 458 by striking on page 4, section 4, lines 25 and 26 of the original bill, being page 4, section 4, lines 74 and 75 of the printed bill, the following words and figures: "Seven thousand five hundred dollars.....\$7,500.00;" and by inserting in lieu thereof the following words and figures: "Eleven thousand dollars.....\$11,000.00."

That the Senate recede from Senate amendment on page 5, section 4, lines 21 and 22 of the original bill, being lines 97 and 98 of the printed bill, and said amendment be stricken.

We recommend further that House Bill No. 458 be amended by striking on page 5, section 4, lines 21 and 22 of the original bill, being page 5, section 4, lines 97 and 98 of the printed bill, the following words and figures: "Two hundred twenty-four thousand five hundred sixty-four dollars.....\$224,564.00;" and by inserting in lieu thereof the following words and figures: "Two hundred thirty-two thousand five hundred sixty-four dollars.....\$232,564.00."

We further recommend that the Senate recede from the amendment on page 8, section 5, lines 24 and 25 of the original bill, being page 8, section 5, lines 26 and 27 of the printed bill.

That the Senate recede from Senate amendment on page 8, section 5, lines 29 and 30 of the original bill, being page 8, section 5, lines 30 and 31 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 8, section 5, lines 29 and 30 of the original bill, being page 8, section 5, lines 30 and 31 of the printed bill, the following words and figures: "One million nine hundred sixty-three thousand three hundred seventy-one dollars.....\$1,963,371.00;" and by inserting in lieu thereof the following words and figures: "Two million one hundred twenty-one thousand eight hundred seventy-nine dollars.....\$2,121,879.00."

That the Senate recede from Senate amendment on page 9, section 5, lines 4 and 5 of the original bill, being page 8, section 5, line 35 of the printed bill, the following words and figures: "Seven hundred twenty thousand ten dollars.....\$720,010.00;" and by inserting in lieu thereof the following words and figures: "Seven hundred twenty-four thousand six hundred dollars.....\$724,600.00."

We further recommend that House Bill No. 458 be amended by striking on page 9, section 5, line 11 of the original bill, being page 9, line 40, in section 5 of the printed bill, the following figures: "\$720,010.00;" and by inserting in lieu thereof the following figures: "\$724,600.00."

We further recommend that the House accede to Senate amendment to House Bill No. 458 by inserting on page 9, section 5, between lines 18 and 19 of the original bill, being between lines 47 and 48 in section 5

on page 9 of the printed bill, the following words and figures: "In addition to the above appropriation, there is hereby appropriated from the general fund for expenditures, in lieu of fees and collections, Ten thousand dollars.....\$10,000.00, provided, however, that no claims shall be paid from this appropriation that would exceed, in the aggregate, the amount of fees and collections deposited with the state treasurer to the credit of the general fund for that fiscal year, but the total of such fees and collections so deposited, in excess of such \$10,000.00 is hereby also appropriated for such purpose."

That the Senate recede from Senate amendment on page 9, section 5, lines 19 and 20 of the original bill, being on page 9, section 5, lines 48 and 49 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 9, section 5, lines 19 and 20 of the original bill, being page 9, section 5, lines 48 and 49 of the printed bill, the following words and figures: "Two hundred six thousand eighteen dollars.....\$206,018.00;" and by inserting in lieu thereof the following words and figures: "Two hundred fifty-six thousand eighteen dollars.....\$256,018.00."

That the Senate recede from Senate amendment on page 9, section 5, lines 24 and 25 of the original bill, being page 9, section 5, lines 52 and 53 of the printed bill.

We further recommend that House Bill No. 458 be amended by striking on page 9, section 5, lines 24 and 25 of the original bill, being page 9, section 5, lines 52 and 53 of the printed bill, the following words and figures: "Three hundred ninety-nine thousand five hundred sixty-four dollars.....\$399,564.00;" and by inserting in lieu thereof the following words and figures: "Four hundred thirty-nine thousand five hundred sixty-four dollars.....\$439,564.00."

We further recommend that the House accede to Senate amendment to House Bill No. 458 by striking on page 10, section 5, lines 13 and 14 of the original bill, being page 10, section 5, lines 73 and 74 of the printed bill, the following words and figures: "Seven thousand five hundred dollars\$7,500;" and by inserting in lieu thereof the following words and figures: "Eleven thousand dollars.....\$11,000.00."

That the Senate recede from Senate amendment on page 11, section 5, lines 9 and 10 of the original bill, being page 11, section 4, lines 96 and 97 of the printed bill, and said amendment be stricken.

We further recommend that House Bill No. 458 be amended by striking on page 11, section 5, lines 9 and 10 of the original bill, being page 11, section 5, lines 96 and 97 of the printed bill, the following words and figures: "Two hundred thirty-nine thousand six hundred thirty dollars\$239,630.00;" and by inserting in lieu thereof the following words and figures: "Two hundred forty-seven thousand six hundred thirty dollars\$247,630.00."

By adding the following new section:

"Section 8. The appropriation for each unit of the University of Montana is based upon predicted enrollment and a cost per student basis as follows:

1961		1962	
	Enrollment		Cost
M. S. U.	3944	4097	\$1,066.00
M. S. C.	4076	4221	1,066.00
E. M. C. E.	1481	1631	784.00
W. M. C. E.	531	531	814.00
M. S. M.	340	350	1,425.00
N. M. C.	750	750	841.00

In the event the enrollment of any unit of the University of Montana falls below the predicted enrollment set forth in the schedule above, the appropriations for such unit for such year shall be reduced in an amount equal to the difference between the predicted enrollment and the actual enrollment multiplied by the cost basis per student for such unit and the amount so computed shall revert to the general fund.

For the purpose of making the computation hereinabove provided, actual enrollment shall be defined to mean and does mean the number of students actually in attendance as of November 1st in the years 1961 and 1962. The State Board of Education, ex-officio Regents of the University of Montana and State Controller shall enforce compliance with these provisions taking into account in each of the years 1961 and 1962 the ratio of part time students (those carrying less than seven credit hours) to full time students compared with such ratio as of November 1, 1960.

And as amended, be concurred in.

For the Senate:

MANNING,
GOODWIN.

For the House:

BLEWETT,
DYKSTRA.

Motion was made by Blewett for adoption of the Committee report. Report adopted by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanoue, Barnard, Bashor, Beam, Bentz, Blewett, Burrell, Cerovski, Crum, Dykstra, Edwards, Etchart, Falkenstern, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Pierce, Raundal, Reed, Regan, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 56.

Noes: None.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Broeder, Bush, Conklin, Coulter, Daniels, Emmons, Eskildsen, Goan, Gustafson, Hall Harper, Hilling, Jensen (Mineral), Johnson, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Reinecke, Rosell, Schwinden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 38.

Excused: None.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 469, 470.

REED, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, titles and history agreed to, were disposed of in the following manner:

House Bill No. 469 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Beam, Bentz, Blewett, Burrell, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead,

Pierce, Reed, Regan, Rygg, Schye, Seymour, Smith, Spilde, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 49.

Noes: Bardanoue, Barnard, Laas, Raundal, Shelden. Total 5.

Paired: Bush, aye; Hanks, no.

Absent or not voting: Aasheim, Abel, Bashor, Bradford, Brenner, Broeder, Cerovski, Conklin, Coulter, Daniels, Emmons, Eskildsen, Gustafson, Hall, Harper, Hilling, Jensen (Mineral), Johnson, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Reinecke, Rosell, Schwinden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 38.

Excused: None.

House Bill No. 470 was passed by the following vote:

Ayes: Adams, Anderson (Yellowstone), Anderson (Madison), Asbjornson, Baldwin, Bardanoue, Barnard, Bashor, Beam, Bentz, Blewett, Burrell, Cerovski, Crum, Dykstra, Edwards, Etchart, Falkenstern, Goan, Haines, Hanks, Haughey, Hazelbaker, Healy, Hibbard, Higham, Jenkins, Jensen (Lake), Judge, Keller, Kolar, Kvaalen, Laas, Leuthold, Loman, Lord, Lucas, Lundgren, Mathers, Murray, Nelstead, Pierce, Raundal, Reed, Regan, Rygg, Schye, Seymour, Shelden, Smith, Spilde, Stranahan, Swanz, Thompson, Weeks, Wright, Mr. Speaker. Total 57.

Noes: None.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Broeder, Bush, Conklin, Coulter, Daniels, Emmons, Eskildsen, Gustafson, Hall, Harper, Hilling, Jensen (Mineral), Johnson, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Nichols, Page, Picard, Reinecke, Rosell, Schwinden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen. Total 37.

Excused: None.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 468, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that the House recess subject to the Call of the Chair. Motion carried. House recessed.

House resumed.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call vote, temporarily suspended House and Senate Joint Rule No. 22 for the purpose of receiving House Bills No. 469 and 470.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that

Senate Bill No. 207 introduced by Thiessen, et al was this day read third time and passed, title and history agreed to and is herewith transmitted to the House for concurrence.

The Senate this day temporarily suspended Joint Rule No. 22 for the purpose of transmitting Senate Bill No. 207 to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Anderson (Yellowstone) that Joint Rule 22 be suspended by the House for the purpose of introducing Senate Bill No. 207. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Education:

Senate Bill No. 207, introduced by Thiessen, Rieder, Cotton, McKeon, McGowan, Goodwin, Schoonover, Hauk, Stein, Dussault, McKenna (Judith Basin), Michels, Cook, O'Neill, Siderius, Rice, McKenna (Fergus), Hafferman: A bill for an act entitled: "An act to increase by three per cent (3%), for the two-year period beginning July 1, 1961 and ending June 30, 1963, the foundation program schedules provided in section 75-3612, Revised Codes of Montana, 1947, as amended by chapter 267, Laws of 1959."

Anderson (Yellowstone) moved that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 207, respectfully report as follows: That Senate Bill No. 207 be concurred in.

KVAALEN, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson (Yellowstone) that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 207 be concurred in.

JUDGE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 458.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 207, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Anderson (Yellowstone), Anderson (Madison), Baldwin, Bardanoue, Barnard, Bashor, Beam, Bentz, Blewett, Cerovski, Crum, Falkenstern, Hanks, Haughey, Healy, Hibbard, Higham, Jenkins, Jensen (Lake), Johnson, Judge, Laas, Loman, Lord, Lundgren, Mathers, Nelstead, Nichols, Raundal, Rosell, Rygg, Seymour, Shelden, Stranahan, Swanz, Thompson, Weeks. Total 37.

Noes: Adams, Asbjornson, Burrell, Bush, Edwards, Etchart, Haines, Keller, Kolar, Kvaalen, Lucas, Reed, Schye, Smith, Spilde, Mr. Speaker. Total 16.

Absent or not voting: Aasheim, Abel, Bradford, Brenner, Broeder, Conklin, Coulter, Daniels, Dykstra, Emmons, Eskildsen, Goan, Gustafson, Hall, Harper, Hilling, Hazelbaker, Jensen (Mineral), Leuthold, Lewis, Lombardi, McOmber, Melcher, Mernin, Moudree, Murray, Page, Picard, Pierce, Regan, Reinecke, Schwinden, Spahr, Stearns, Stimatz, Sullivan (Deer Lodge), Sullivan (Silver Bow), Teigen, Twedt, Wayrynen, Wright. Total 41.

Excused: None.

MESSAGES FROM THE SENATE

March 2, 1961

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 469 introduced by Lundgren et al.

House Bill No. 470 introduced by Mathers et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 458.

REED, Chairman.

I have examined House Bill No. 458 introduced by me and find the same to be correct.

RYGG.

The Speaker signed House Bill No. 458 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 469 and 470.

REED, Chairman.

I have examined House Bill No. 469 introduced by me and find the same to be correct.

MATHERS.

I have examined House Bill No. 470 introduced by me and find the same to be correct.

MATHERS.

The Speaker signed House Bills Nos. 469 and 470 in open session, the titles having first been read.

MOTIONS AND RESOLUTIONS

The following resolution was read:

HOUSE RESOLUTION NO. 12

Introduced by Goan.

A Resolution of the House of Representatives requesting the State Board of Examiners to place the House furniture in a particular position after its return from the state prison subsequent to repair under the provisions of House Bill No. 465.

WHEREAS, the desks of the members of the House of Representatives have remained traditionally for more than 50 years in a particular position on the floor of the House, and

WHEREAS, the drawers of said desks contain inscriptions written by former members who have been prominent in the history of Montana during its statehood, and

WHEREAS, it is the desire of the members of this House that the traditional location of said desks be maintained and that the interior of said drawers be not refinished or in any way changed from their existing condition, and,

WHEREAS, it is the desire of the members of this House that the same drawers be returned to the desks in which they now are situated subsequent to the repair of said desks,

NOW, THEREFORE BE IT RESOLVED by the House of Representatives that it requests the State Board of Examiners to return each desk on the floor of the House to its present position with its same drawer, said drawer to be not refinished or in any way changed in the interior of said drawer during the course of repair thereof under the provisions of House Bill No. 465 in order that the traditional locations of the said desks and drawers will be maintained on the floor of the House of Representatives as they are today.

Motion was made by Goan for adoption of the resolution. Motion carried.

Motion was made by Anderson (Yellowstone) that the Chief Clerk be authorized to have one thousand copies of the final status of all House Bills printed, together with the final status of the Senate, for distribution to all members of the Legislature and other interested parties. Motion carried.

The Speaker signed Senate Bill No. 207 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 374, 469, 470 and 458, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

REED, Chairman.

Motion was made by Anderson (Yellowstone) that a committee of five members be appointed by the Speaker to notify His Excellency, the Governor, that the House of Representatives of the Thirty-seventh Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

Thereupon the Speaker appointed the following committee to notify the Governor: Haines, Beam, Weeks, Laas, Stranahan.

Motion was made by Anderson (Yellowstone) that a committee of five members be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the Thirty-seventh Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

Thereupon the Speaker appointed the following committee to notify the Senate: Loman, Jenkins, Pierce, Cerovski, Barnard.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixtieth Legislative Day, find the same to be correct.

HAINES, Vice Chairman.

The House Committee appointed to notify the Senate that the House was ready to adjourn returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

The House Committee appointed to notify the Governor that the House was ready to adjourn returned to report that the message had been delivered and that the Governor expressed his appreciation to the House members for the cooperation extended to him during the session, and wished them Godspeed. The Speaker thanked the committee and it was discharged.

A committee was received from the Senate which notified the House that the Senate, having completed its business, was ready to adjourn sine die.

It was moved by Anderson (Yellowstone) that the House of Representatives of the Thirty-seventh Legislative Assembly of the State of Montana now stand adjourned sine die. Motion carried.

House adjourned sine die.

CLYDE L. HAWKS, Speaker.

GEORGE T. HOWARD, Chief Clerk.



